



AGENDA
JANUARY 20, 2015
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 | • John Dukes |
| VICE MAYOR | • John Buckland |
| COUNCILMEMBER | • Stanley Cleveland, Jr |
| COUNCILMEMBER | • Preet Didbal |
| COUNCILMEMBER | • Kash Gill |
| 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 (DRAFT)
REGULAR MEETING OF THE CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
JANUARY 20, 2015
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 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 negotiator Steve Kroeger regarding negotiations with the following associations: Yuba City Firefighters Local 3793, Yuba City Fire Management, 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 Dukes
 _____ Vice Mayor Buckland
 _____ Councilmember Cleveland
 _____ Councilmember Didbal
 _____ Councilmember Gill

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Retirement of Recreation Supervisor Verna Cook-Stoddard**
2. **Retirement of Recreation Supervisor Abbie Cesena**
3. **Yuba City Police Department Employee of the Year Presentation**
4. **Yuba City Police Department Officer of the Year Presentation**

5. Introduction of Recology General Manager

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.

6. Written Requests

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

7. 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 three minutes

Public Hearings

8. Accept Grant Funding and Expenditure Recommendations for the California Citizens' Option for Public Safety (COPS) Grant of \$100,000

Recommendation: 1) Conduct Public Hearing
 2) Adopt a Resolution authorizing the Chief of Police to accept the FY 2014-2015 California Citizens Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary

9. FY 2015-2020 Community Development Block Grant (CDBG) Consolidated Plan Overview

Recommendation: Conduct a Public Hearing to provide an overview of the City's Community Development Block Grant and Consolidated Plan Process

Ordinances

10. California Public Employees' Retirement System (CalPERS) Contract Amendment to Implement Employee Cost Sharing

Recommendation: 1) Adopt a Resolution of Intention to approve an Amendment with CalPERS for classic members cost sharing towards the employer rate per the applicable negotiated contracts for the Mid-Managers, Police Officers' Association, Police Sergeants, First Level Managers bargaining units, and the unrepresented Confidentials and Executive Team
 2) Introduce an Ordinance for amending the City's contract with CalPERS that will implement the cost sharing arrangements

with the above listed bargaining units and unrepresented units and waive the first reading.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council, staff or public request specific items to be discussed or removed from the Consent Calendar for individual action.

11. Minutes of December 16, 2014

Recommendation: Approve the City Council Meeting Minutes of December 16, 2014

12. Approve Appointments to the Feather River Air Quality Management District (FRAQMD) Board of Directors for 2015

Recommendation: Approve appointment of Marysville Councilmembers Dale Whitmore and Chris Pedigo (alternate) and Sutter County Supervisor Ron Sullenger (alternate) to the FRAQMD Board of Directors

13. Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8

Recommendation: Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

- 1) Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8 (960 Gray Ave)
- 2) Resolution of Intention, Yuba City Lighting and Maintenance District No. 6, Zone of Benefit B_8 (pursuant to the Landscaping and Lighting Act of 1972)

14. Domain Estates Phase 2 Acceptance

Recommendation: Adopt a Resolution accepting certain street and related improvements pursuant to the Amended Domain Estates Phase 2 Subdivision Map Agreement with Interwest Homes Corp and authorizing the developer to file a Notice of Completion. [Subdivision is located on the west side of Blevin Road north of Butte House Road]

15. Establishing pre-tax employee contributions towards retirement

Recommendation: Adopt a Resolution to ensure contributions made to CalPERS which are designated as employee contributions are made on a pre-tax basis.

16. California Integrated Waste Management AB 939 Local Task Force Membership Update

Recommendation: Adopt a Resolution approving the updated AB 939 Local Task Force Membership List dated January 2015 for the Source Reduction and Recycling Element, Household Hazardous Waste

Element, Non-disposal Facility Element, Siting Element and County/Regional Agency Integrated Waste Management Plan documents

General Items

17. Feather River Air Quality Management District (FRAQMD) Agreement No. VF 14-03 – Acceptance of Blue Sky Grant for \$48,785 for the Yuba City Class II Bike Lanes Project 2015 and Agreement No. VF 14-04 – Acceptance of Blue Sky Grant for \$4,512 for the May is Bike Month 2015 Project

- Recommendation:
- 1) Adopt a Resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-03, accepting \$48,785 in Blue Sky Grant Funds for the Yuba City Class II Bike Lanes Project 2015 including the necessary budget adjustments outlined in the fiscal impact.
 - 2) Adopt a Resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-04, accepting \$4,512 in Blue Sky Grant Funds to the May in Bike Month 2015 Project including the necessary budget adjustments outlined in the fiscal impact.
 - 3) Authorize the Finance Director to make supplemental appropriation of \$51,203 from unallocated Road Funds to Account No. 921024 (Striping and Markings)

18. 2014 Homeland Security Grant

- Recommendation: Accept funding from the 2014 Homeland Security Grant and authorize appropriate modification to the Fire Department Budget

19. Implementation of Last, Best, and Final Offer to Yuba City Firefighters

- Recommendation:
- 1) Adopt a Resolution implementing the City's Last, Best, and Final Offer to Yuba City Firefighters effective January 24, 2015
 - 2) Adopt a Resolution for CalPERS stating the City is no longer paying the Yuba City Firefighter' member contribution effective January 24, 2014

Business from the City Council

20. City Council Reports

- Councilmember Cleveland
- Councilmember Didbal
- Councilmember Gill
- Vice Mayor Buckland
- Mayor Dukes

Adjournment



Proclamation

of the City Council

VERNA COOK-STODDARD *In recognition of your retirement from the Yuba City Parks & Recreation Department*

WHEREAS, Verna Cook-Stoddard is retiring from the Yuba City Parks & Recreation Department on January 9, 2014 with 25 years of service to the City of Yuba City and the residents of Yuba City and Sutter County; and

WHEREAS, Verna began her 25-year tenure with the Yuba City Parks & Recreation Department in August of 1989, as a Senior Recreation Leader (part-time); advancing to the position of Recreation Coordinator in February 1993; and promoted to the position of Recreation Supervisor II in December 2006; and

WHEREAS, Verna was very instrumental in implementing the Senior Nutrition Program previously held at the Senior Center; dispersing grant funds from Area 4 Agency on Aging; CDBG funds for the Handyman Program for seniors; and grant funds from Sutter North Health for the "Walk in the Park" program; and

WHEREAS, Verna also implemented community partnerships with Area 4 Agency on Aging, Sutter County Commission on Aging, Senior Information & Assistance, HICAP, FREED, the Sutter County Health Department, AARP, the Alzheimer's Association, Del Oro Caregiver, Paulla McIntire, Attorney, Walgreens & Rite Aid pharmacies, the Yuba City Rotary Club; and

WHEREAS, Verna has been involved in community outreach programs involving the Yuba City Unified School District, Toys for Tots, the Cancer Society and military outreach; and

WHEREAS, over her many years with the Parks & Recreation Department, Verna has made the Senior Center a welcoming atmosphere and develop numerous programs and activities for seniors, such as fitness programs, arts & crafts which are offered weekly, and computer/media device classes, and has assisted in other programs within the Department not related to the Senior Center; and

WHEREAS, during her career with the City of Yuba City, Verna has been a member of CPRS District II Aging Section, the California Senior Centers Association, Sutter County Elder Abuse Committee, and the Area 4 Agency on Aging – Advisory Council; and

WHEREAS, Verna Cook-Stoddard has contributed to the growth and success of the many programs and activities that were put in her charge and will be truly missed.

NOW, THEREFORE, BE IT RESOLVED that I, John Dukes, Mayor of the City of Yuba City, and on behalf of the entire City Council, do hereby honor and commend Verna Cook-Stoddard for her 25 years of service to the Yuba City Parks and Recreation Department, the City of Yuba City, and to the people of Yuba City and Sutter County, and wish her much success and happiness in her well deserved retirement.

Done on this 20th day of January, 2014, at the City of Yuba City, County of Sutter, State of California.



Proclamation

of the City Council

ABBIE CESENA

In recognition of your retirement from the Yuba City Parks & Recreation Department

WHEREAS, Abbie Cesena is retiring from the Yuba City Parks & Recreation Department on January 9, 2014 with 29 years of service to the City of Yuba City and the residents of Yuba City and Sutter County; and

WHEREAS, Abbie began her 29-year tenure with the Yuba City Parks & Recreation Department in October of 1985, as a Recreation Supervisor I; advancing to the position of Recreation Supervisor II in June of 1990; promoted to the position of Recreation Supervisor III in July of 2006; and

WHEREAS, Abbie was very instrumental in implementing several new events for the City of Yuba City, including the annual Haunted House, the Corporate Challenge, the Cultural Celebration, children's areas at the Prune Festival and the Yuba-Sutter Fair, an indoor Ice Rink, the Harvest Festival, the Polar Bear Plunge, and Movies & Concerts in the Park; and

WHEREAS, Abbie also implemented several new programs for the City of Yuba City, including Tic-Tac T-Ball, Youth Track and Field, the annual Arbor Day celebration, and numerous aquatics programs; and

WHEREAS, over her many years with the Parks & Recreation Department, Abbie has overseen the following programs – Youth Basketball, Adult Softball, Basketball and Volleyball, Gymnastics, Special and Contract classes, the Senior Center & it's Nutrition Program, received and administered CDBG Grants, and oversaw the day to day operations at Gauche Aquatic Park; and

WHEREAS, Abbie has had the honor of receiving the "Best Place to Take the Kids" and "Best Park" award from the Appeal Democrat for the past 5 years for Gauche Aquatic Park; received the Ellis & Associates Awards of Excellence "Bronze Awards" in 2008 & 2009 and the "Silver Awards" in 2010, 2011 & 2012; and received the CPRS Award of Excellence for the Cultural Celebration; and

WHEREAS, during her career with the City of Yuba City, Abbie has been a board member on the Juvenile Justice Commission, CPRS District II, the Prune Festival , Prune Festival Parade, Sutter Performing Arts Association, Friends of Yuba City Parks and Recreation Foundation, and is a past member of Rotary Club of Yuba City. Abbie was also a Committee Member for the United Way; and

WHEREAS, during her career with the City of Yuba City, Abbie Cesena contributed to the growth and success of the many programs and activities that were put in her charge and will be truly missed.

NOW, THEREFORE, BE IT RESOLVED that I, John Dukes, Mayor of the City of Yuba City, and on behalf of the entire City Council, do hereby honor and commend Abbie Cesena for her 29 years of service to the Yuba City Parks and Recreation Department, the City of Yuba City, and to the people of Yuba City and Sutter County, and wish her much success and happiness in her well deserved retirement.

Done on this 20th day of January, 2014, at the City of Yuba City, County of Sutter, State of California.



2014 EMPLOYEE OF THE YEAR

Citation to Accompany the Award

CSO Lucy Merrill

Serving in the capacity of Community Service Officer, Lucy Merrill has demonstrated unparalleled effectiveness and diligence in upholding the Department's mission and values. Providing the benchmark for all employees, she is looked to as the standard for assisting both citizens and fellow workers. Her respectful, positive and compassionate demeanor fosters the highest level of confidence for citizens seeking assistance from the Police Department.

2014 was a year in which her experience and strong work ethic set her apart from her peers. The recipient of numerous accolades from grateful citizens and peers, she was acknowledged by this year's award committee as: reliable, high performer, positive, a team player, thorough, proactive, personable and professional. She is a role model whose number one goal is achieving the mission of the Yuba City Police Department.

Her skills proved critical in identifying a suspect in the largest mail fraud case ever handled by the Yuba City Police Department. She tirelessly poured over hundreds of pieces of evidence and ran down leads, resulting in the suspect now facing Federal fraud charges. Lucy was lauded for her efforts by the US Postal Inspector, who recognized, without her work this case may not have made its way to a Federal courtroom for prosecution.

She went above and beyond to solve a large-scale credit card fraud case relating to the nationally publicized data breach at Home Depot. Working with Staples, CVS Pharmacy and numerous victims, Lucy developed suspect information and an arrest was made. Many of the citizens victimized by this crime lost thousands of dollars.

Lucy's diligence stopped this thief and provided tangible proof to those victims of the Yuba City Police Departments commitment to protecting our citizens.

She is well-known for her superior work ethic; however, her dedication to the team speaks for itself. She solved numerous stolen vehicle cases and provided hundreds of citizens with police assistance. Investigations, Patrol and Administration routinely call upon Lucy. She fosters a friendly and professional environment for the public, peers and superiors. She takes the time to help everyone she works with whenever she notices a need. Whether being woken in the middle of the night to assist at a crime scene or staying after hours to process evidence, Lucy is there with a smile. She is not just a co-worker to her Police family, she is a true friend.

The value statement of the Yuba City Police Department states, in part, "We believe the character of our department is best reflected in the quality of service provided by each of our members." Her unwavering work ethic, humble service and positive attitude made her the obvious choice to stand at the head of her peer group this year. It is my distinct pleasure to award Community Service Officer Lucy Merrill the recognition of Employee of the Year 2014.



OFFICER OF THE YEAR

Citation to Accompany the Award

2014

Officer Christopher Oakley

In service to the Yuba City Police Department for the past 7 years, Officer Chris Oakley has distinguished himself as a diligent, steady force within our agency. The span of his service has been marked with numerous achievements highlighted, in part, with his service as a Field Training Officer, Patrol Officer, Traffic Officer, Honor Guard Officer and skilled sniper for the SWAT team.

Never one to seek personal glory, Chris has measured his success in the achievements of others. His law enforcement expertise and his heart of service have resulted in impressive achievements as a Field Training Officer. Fostering both officer safety and positive community interactions, he ensures the finest in policing for the newly hired Police Officers he is entrusted with. He takes each trainee and tirelessly works to develop them, both as individuals and as officers. He imparts the skill and training necessary to deliver an officer who upholds the highest standards of policing to the citizens of Yuba City.

Serving as a Reserve Officer Coordinator, he works diligently designing training scenarios to enhance the skills of the Reserve Officers. He tailors his trainings to specifically meet the needs of each Reserve Officer and has spent countless hours of his personal time doing so. His skill and depth of understanding of teamwork makes him invaluable on the SWAT Team, always seeking the success of the team, before personal achievement.

Referent authority is imparted to individuals because they are seen as ethical, concerned for the welfare of others and trustworthy. Foremost, this type of authority is based on respect and can only be earned. Because of these qualities, Officer Oakley is looked upon as a leader among his peers. He is sought out by junior officers for advice and guidance and is always a leader during calls for service. Supervisors describe him as an unassuming leader who does not shy away from a challenge and expects the same from others.

Those of us in law enforcement have made the decision to give our lives if necessary to save others. Officer Chris Oakley has also chosen to dedicate himself to the protection and development of his fellow employees. He has done so, keeping himself above reproach. In recognition of Chris' commitment to the citizens of Yuba City and the Yuba City Police Department, I am proud to recognize Officer Christopher Oakley as the Yuba City Police Department's Officer of the Year for 2014.



Introducing General Manager, Michael J. Leggins

Mike first joined Recology in 1994 and now serves as the General Manager of Recology Yuba-Sutter. Mike formerly served as General Manager for Recology Humboldt County since 1995. From 1994 to 1995 he served as Landfill Project Manager for Hay Road Landfill. Prior to working at Recology, Mr. Leggins served as Project Manager / Environmental Compliance at Oakland Scavenger Company, Project Manager at Black & Veatch Engineers – Architects, and Project Manager at U.S. Public Health Service. He holds a Bachelor’s Degree in Civil Engineering from California State University at Sacramento.

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.

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015

To: Honorable Mayor & Members of the City Council

From: Police Department

Presentation By: Robert D. Landon, Chief of Police

Summary

Subject: Accept Grant Funding and Expenditure Recommendations for the California Citizens' Option for Public Safety (COPS) Grant of \$100,000

Recommendation: 1) Conduct a Public Hearing
2) Adopt a Resolution authorizing the Chief of Police to accept the FY 2014/2015 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary

Fiscal Impact: \$100,000 account 2180-69201 (State Grant Law Enforcement-Equipment) – (No City match required) and related revenue account 100-43415

Purpose:

Acceptance of Citizens' Option for Public Safety Grant from the State of California in the amount of approximately \$100,000 and authorize and approve expenditure recommendations.

Background:

Each year, dependent upon State Budget priorities, funds may be allocated to law enforcement agencies to assist in carrying out priorities as established by the Chief of Police (or the Sheriff in unincorporated areas or contract cities). Over the last several years, monies have been made available through the State of California to local law enforcement entities in the form of Citizens' Option for Public Safety (COPS) grant.

This year the City of Yuba Police Department will receive approximately \$100,000. The State Government Code restricts the money to be used for front line law enforcement purposes and may not be used to supplant any existing law enforcement services provided by the City.

We have been notified by the State Department of Finance, the State Budget will allocate approximately \$100,000 for the Yuba City Police Department. No cash match required.

Analysis

The Police Department has traditionally utilized funding obtained in this grant for the major approval expenditure category of technology advancements and infrastructure improvements for the benefit of frontline law enforcement delivery to the citizens of our community. Funding directions are based upon needs assessments from the Department management group in consultation with the rank and file employees and direction from the City's IT staff and our Research and Development Unit. Prior years expenditures have been for such items as: Complete infrastructure upgrade of the Police Radio system inclusive of acquisition of a secondary repeater radio frequency and related

equipment, the Sutter Buttes Radio Interoperability Project Phase One, Emergency Operations Center retrofit , a total service weapon upgrade for all officers, equipping all patrol vehicles with mobile data terminals integrated with the Police Communications Center, required upgrades in the Fire/Police Computer Aided Dispatching System, installation of secure video conferencing capabilities, acquisition of satellite emergency communications capabilities with the California Office of Emergency Services (California Warning Center) and FEMA. We would suggest a continuation along this path of technology evaluation and implementation, which has served us very well over the last 10 years and gained the City both State and National recognition as a technological leader in law enforcement.

Some of the money will be utilized to continue the purchase of Mobile Audio/Video Recorders and initial set up equipment in Patrol, Investigation and Administration Cars. These items will need to be added to our Internal Services Fund budget in the future to ensure we keep them upgraded and funded in the future. We also will be purchasing mobile video cameras for the wear of officers on their uniforms. This item should also be added to our Internal Services Fund, or a replacement fund set up to replace this critical equipment as it becomes dated or breaks down over time.

Fiscal Impact:

\$100,000 account 2180-69201 (State Grant Law Enforcement-Equipment) – (No City match required) and related revenue account 100-43415.

Alternatives:

Provide staff with alternative spending paths which will not supplant routine expenditures in the general fund.

Recommendation:

Adopt a Resolution authorizing the Chief of Police to accept the FY 2014/2015 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary.

Note: *Public Hearing notification requirements have been met.*

Prepared By:

/s/ Robert Landon

Robert D. Landon
Chief of Police

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING RECEIPT, ALLOCATION AND EXPENDITURE, OF THE FY
2014-2015 STATE OF CALIFORNIA CITIZENS' OPTION FOR PUBLIC
SAFETY GRANT (COPS GRANT)**

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

That the City, through the Chief Financial Officer and the Chief of Police, accept, account for, track, allocate and expend as directed the FY 14/15 California Citizens' Option for Public Safety Grant. It is acknowledged the Citizens' Option funding would be in the amount of approximately \$100,000. It is recognized there is no cash match requirement.

That said expenditures be in accordance with grant guidelines, specifically in the area of frontline law enforcement uses and related infrastructure/technology improvements as might be deemed appropriate by the Chief of Police consistent with the practice and Council policy of this and previous years.

That said purchases be in accordance with State of California and City of Yuba City purchasing guidelines.

That the Chief Financial Officer be given authority to adjust the budget as required for grant purposes.

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 20th day of January 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Development Services Department
Presentation By: Darin Gale, Director

Summary

Subject: 2015-2020 Community Development Block Grant (CDBG) Consolidated Plan Overview
Recommendation: Provide an overview of the City's Community Development Block Grant Consolidated Plan process
Fiscal Impact: Approximately \$550,000 Annually

Purpose:

To provide Council members with an overview of the City's CDBG program, specifically the five year Consolidated Plan process.

Background:

The City of Yuba City, as a recipient of Community Development Block Grant (CDBG) funds, is required to submit to the Department of Housing and Urban Development (HUD) a Consolidated Plan. The Consolidated Plan is a five-year planning document that outlines the City's most urgent low income needs, a strategy for how the City will meet those needs and a plan identifying how the City will use available public and private resources to implement the strategy. Annually, the City receives approximately \$550,000. The Annual Action Plan, a component of the Consolidated Plan, identifies the specific activities the City will undertake each Program Year to help address the needs identified in the Consolidated Plan.

Analysis:**Consolidated Plan Update:**

The Community Development Department has initiated the process of updating the Consolidated Plan for the 2015 through 2020 Consolidated Planning period (July 2015 through June 2020). The updated Consolidated Plan must be submitted to HUD prior to the start of the 2015 Program Year (July 1, 2015).

Since the update of the Consolidated Plan includes City Council's review and approval of the Consolidated Plan prior to submission to HUD, staff would like to take this opportunity to review the process with Council, answer any questions Council may have and obtain

Council input.

The update of the Consolidated Plan relies heavily on Census Data, as well as information provided by service providers, local agencies and the public to identify housing, homeless, community development and special population needs. The City is required to encourage citizen input in the development and update of the Consolidated Plan. In order to meet the citizen participation requirement and invite public input, a survey is being sent to service providers, local agencies and faith based organizations to encourage their input. Copies of the survey will be available online for the general public to provide their input. Two public meetings will also be held during the update process to assist with identifying community needs and identifying programs/projects for CDBG funding. Once the Consolidated Plan has been updated, print and online copies will be available for a 30-day public review period, prior to submittal to HUD.

The citizen participation and input process is important to ensure all community needs are identified and prioritized in the Consolidated Plan. If a need is not addressed within the Consolidated Plan or receives a low priority rating, it may not be competitive when considering which activities will receive future CDBG funding.

Action Plan/CDBG Funding Requirements:

As noted above, the Annual Action Plan is a component of the Consolidated Plan. The 2015 Program Year Action Plan will be submitted in conjunction with the 2015-2020 Consolidated Plan. The Action Plan identifies activities the City will undertake during the 2015 Program Year with CDBG funds and other federal, state, and local funds.

CDBG funded activities must benefit at least 70% low income persons, and must also address one of three national objectives:

1. Low Income Benefit
2. **Slums or Blight**
3. A Particularly Urgent Community Development Need

Types of eligible activities include:

- Housing Activities
- Other Real Property Improvements (Acquisition, Disposition, Clearance, Rehabilitation)
- Public Facilities and Public Improvements
- Economic Development
- Public Services (Maximum 15% of Annual CDBG funding)
- Planning Activities
- Program Administration (Maximum 20% of Annual CDBG funding for Administration and Planning Activities)

During the Action Plan development process, the City solicits applications for CDBG funding. The applications are rated and ranked based upon priority needs identified in the Consolidated Plan and other factors such as prior performance of the applicant.

The City submitted the last Consolidated Plan in 2010 covering the period July 1, 2010

through June 30, 2015. The City received approximately \$2,697,300 in CDBG Funds during that period. The City's expenditure of those funds breakdown as follows:

- 17% Housing Activities – Housing activities included rehabilitation and improvements to various Housing Authority properties, accessibility improvements (ADA) and a Senior Handyperson Program.
- 41% Public Facilities and Public Improvements – Public Facilities and Public Improvement activities included ADA sidewalk improvements, Fire Station ADA improvements and ADA pool improvements.
- 18% Administration – Administrative activities include staff time for day to day administration of the various programs, management and financial staff time in support of CDBG activities, consultant expenses and annual Fair Housing workshops.
- 14% Public Services – Public Service activities primarily consist of funding to various service providers that serve the homeless, including Salvation Army, Hands of Hope, Homeless Veterans Assistance, Hand Up Ministry, etc.
- 10% Neighborhood Revitalization Strategy – Neighborhood Revitalization Strategy (NRS) is targeted toward improving residential and commercial areas within the designated low-income area(s). Activities funded by CDBG funds and benefiting the NRS areas included neighborhood cleanup projects and ADA projects as noted above in Public Facilities and Public Improvements. CDBG funding is one of several funding sources used to fund NRS activities.

Fiscal Impact:

Approximately \$550,000 annually

Alternatives:

Not applicable

Recommendation:

Not applicable

Prepared By:

/s/Katrina Woods

Katrina Woods
Administrative Analyst

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Department Head

DG

Finance

RB

City Attorney

TH

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Human Resources
Presentation By: Natalie Walter, Human Resources Director

Summary

Subject: California Public Employees' Retirement System (CalPERS) Contract Amendment to implement employee cost sharing

Recommendation:

1. Adopt a Resolution of Intention to approve an amendment with CalPERS for classic members cost sharing towards the employer rate per the applicable negotiated contracts for the Mid-Managers, Police Officers' Association, Police Sergeants, First Level Managers bargaining units, and the unrepresented Confidentials and Executive Team.
2. Introduce an Ordinance amending the City's contract with CalPERS that will implement the cost sharing arrangements with the above listed bargaining units and unrepresented units and waive the first reading.

Fiscal Impact: \$384,000 in savings to City budget which is offset by \$723,000 in additional costs due to furlough elimination.

Purpose:

Implement employee cost sharing of California Public Employees' Retirement System (CalPERS) contributions.

Background:

In early 2014, City staff met and conferred with Mid-Managers, First Level Managers, Police Officers' Association, and Police Sergeants in order to negotiate the expired bargaining unit contracts. During City Council meetings from July to November 2014, the City Council approved the contracts with these bargaining units along with the unrepresented employees which included cost sharing for classic members. Both the

unrepresented Confidentials and Executive Team followed the Mid-Managers agreement to cost share.

Analysis:

According to the approved contracts, all classic CalPERS members who belong to the Mid-Managers, First Level Managers, Police Officers' Association, and Police Sergeants along with the unrepresented Confidentials and Executive Team will cost share towards the employer contribution. It should be noted that the contracts for this cost sharing arrangement require two CalPERS contract amendments. For this first cost sharing amendment, classic Safety category employees will cost share 4.5% towards the employer contribution rate. Classic Miscellaneous category employees will cost share either 4% or 3.5% towards the employer contribution rate. The percentage for the classic Miscellaneous category is dependent on the member's hire date and resulting retirement formula.

The second cost sharing amendment process will be initiated after this first cost sharing amendment is complete. The second cost sharing amendment will result in the classic Safety category employees cost sharing 9% towards the employer contribution rate and classic Miscellaneous category employees cost sharing 8% or 7% towards the employer contribution rate as of July 1, 2015 or as soon as administratively feasible.

In order to amend the City's contract for the cost sharing, CalPERS requires that a Resolution of Intention be adopted by the City Council. CalPERS provides the option of the first reading of the Ordinance occurring on the same day as the adoption of the Resolution of Intention.

After the adoption of the Resolution of Intention and first reading of the Ordinance, an election will be held for employees to finalize the approval of the cost sharing amendment. An employee election is necessary for contract amendments that affect the employees' rate of contribution.

Fiscal Impact:

\$384,000 in savings to City budget which is offset by \$723,000 in additional costs due to furlough elimination.

Recommendation:

Adopt a Resolution of Intention to approve an amendment with CalPERS for classic members cost sharing towards the employer rate per the applicable negotiated contracts for the Mid-Managers, Police Officers' Association, Police Sergeants, First Level Managers bargaining units, and the unrepresented Confidentials and Executive Team. Introduce an Ordinance amending the City's contract with CalPERS that will implement the cost sharing arrangements with the above listed bargaining units and unrepresented units and waive the first reading.

Prepared By:

/s/ Natalie Walter

Natalie Walter
Human Resources Director

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

City Attorney

RB

TH

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
CITY OF YUBA CITY**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

Section 20516 (Employees Sharing Additional Cost) of 4.5% for classic local police members; 4.5% for classic local fire members in the Executive Team Unit; and

Section 20516 (Employees Sharing Additional Cost) of 4% for first tier and second tier classic local miscellaneous members in the Police Officers' Association, First Level Managers Unit, Mid-Managers Unit, Confidential Unit, and the Executive Team Unit; and 3.5% for third tier classic local miscellaneous members in the Police Officers' Association, First Level Managers Unit, Mid-Managers Unit, Confidential Unit, and the Executive Team Unit.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: _____
Presiding Officer

Title

Date adopted and approved

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING AN AMENDMENT TO THE CITY'S CONTRACT WITH PERS
THAT WILL IMPLEMENT COST SHARING PER THE NEGOTIATED
CONTRACTS FOR ALL POLICE OFFICER'S ASSOCIATION, POLICE
SERGEANTS, MID-MANAGERS, FIRST LEVEL MANAGERS,
UNREPRESENTED CONFIDENTIALS, AND UNREPRESENTED EXECUTIVE
TEAM**

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

Section 1. That an amendment to the contract between the City Council of the City of Yuba City and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

Section 2. The Mayor of the City of Yuba City is hereby authorized, empowered, and directed to execute said amendment for and behalf of said Agency.

Section 3. This Ordinance shall be effective thirty (30) days from and after its adoption, and after adoption shall be published as provided by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 20th day of January 2015 and adopted at a regular meeting thereof held on the ____ day of _____, 2014.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

Attest:

Terrel Locke, City Clerk

Approved as to form:

Tim Hayes, City Attorney



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Yuba City

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective January 1, 1961, and witnessed August 2, 1960, and as amended effective July 1, 1971, April 1, 1973, January 16, 1974, February 7, 1981, January 1, 1982, August 5, 1989, December 16, 1989, August 11, 1990, December 15, 1990, August 2, 1991, June 19, 1993, July 14, 2001, July 13, 2002, April 5, 2003, June 28, 2003 and July 1, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 18 are hereby stricken from said contract as executed effective July 1, 2012, and hereby replaced by the following paragraphs numbered 1 through 18 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members; age 50 for local safety members entering membership in the safety classification on or prior to July 1, 2012 and age 55 for local safety members entering membership for the first time in the safety classification after **July 1, 2012**.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after January 1, 1961 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);

PLEASE DO NOT SIGN "EXHIBIT ONLY"

- c. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

NO ADDITIONAL EXCLUSIONS

6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.
7. This contract shall be a continuation of the contract of the Walton Fire Protection District, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurred July 1, 2006.
8. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment before and not on or after June 28, 2003 shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to December 31, 1981, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment on or after June 28, 2003 and not entering membership for the first time in the miscellaneous classification after July 1, 2012 shall be determined in accordance with Section 21354.5 of said Retirement Law, subject to the reduction provided therein for service prior to December 31, 1981, termination of Social Security, for members whose service has been included in Federal Social Security (2.7% at age 55 Full and Modified).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

10. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after July 1, 2012 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member entering membership in the safety classification on or prior to July 1, 2012 shall be determined in accordance with Section 21363.2 of said Retirement Law (3% at age 50 Full).
12. The percentage of final compensation to be provided for each year of credited current service as a local safety member entering membership for the first time in the safety classification after July 1, 2012 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
13. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 20042 (One-Year Final Compensation), Section 21624 and 21626 (Post-Retirement Survivor Allowance) and Section 21427 (Improved Non-industrial Disability Allowance).

From and after January 1, 1982 to August 11, 1990 the miscellaneous and fire employees of Public Agency shall be assessed an additional 2.5% of their compensation for a total contribution rate of 9.5% pursuant to Government Code Section 20516.

From and after January 1, 1982 to December 16, 1989, the police employees of Public Agency shall be assessed an additional 2.5% of their compensation – for a total contribution rate of 9.5% pursuant to Government Code Section 20500.
 - b. Section 20042 (One-Year Final Compensation) for local police members entering membership on or prior to December 16, 1989; for local fire members entering membership on or prior to December 15, 1990; and for those local miscellaneous members entering membership on or prior to August 2, 1991.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

- c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
- d. Section 21427 (Improved Nonindustrial Disability Allowance) for local miscellaneous members; local police members entering membership on or prior to December 16, 1989, and for those local fire members entering membership on or prior to December 15, 1990.
- e. Section 21574.5 (Indexed Level of 1959 Survivor Benefits).
- f. Section 20903 (Two Years Additional Service Credit) for local miscellaneous members only.
- g. Section 20475 (Different Level of Benefits). Section 20037 (Three-Year Final Compensation) is applicable to local police members entering membership for the first time in the police classification after December 16, 1989, local fire members entering membership for the first time in the fire classification after December 15, 1990, and for those local miscellaneous members entering membership for the first time in the miscellaneous classification after August 2, 1991; Section 21427 (Improved Non-Industrial Disability Allowance) is not applicable to local police members entering membership for the first time in the police classification after December 16, 1989, and for those local fire members entering membership for the first time in the fire classification after December 15, 1990.

Section 21354 (2% @ 55 Full formula) is applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after July 1, 2012.

Section 21363.1 (3% @ 55 Full formula) is applicable to local safety members entering membership for the first time in the safety classification after July 1, 2012.
- h. Section 21024 (Military Service Credit as Public Service).
- i. Section 20434 ("Local Fire Fighter" shall include any officer or employee of a fire department employed to perform firefighting, fire prevention, fire training, hazardous materials, emergency medical services, or fire or arson investigation services as described in Government Code Section 20434).
- j. Section 21335 (3% Cost-of-Living Allowance, base year 2003).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

k. Section 21548 (Pre-Retirement Option 2W Death Benefit).

l. Section 20516 (Employees Sharing Additional Cost):

From and after the effective date of this amendment to contract, 4.5% for classic local police members.

From and after the effective date of this amendment to contract, 4.5% for classic local fire members in the Executive Team Unit.

From and after the effective date of this amendment to contract, 4% for first tier and second tier classic local miscellaneous members in the Police Officers' Association, First Level Managers Unit, Mid-Managers Unit, Confidential Unit, and the Executive Team Unit.

From and after the effective date of this amendment to contract, 3.5% for third tier classic local miscellaneous members in the Police Officers' Association, First Level Managers Unit, Mid-Managers Unit, Confidential Unit, and the Executive Team Unit.

14. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on February 7, 1981. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
15. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
16. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574.5 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
17. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
 18. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION CITY COUNCIL
 PUBLIC EMPLOYEES' RETIREMENT SYSTEM CITY OF YUBA CITY

BY _____
 RENEE OSTRANDER,
 ASSISTANT DIVISION CHIEF
 CUSTOMER ACCOUNT SERVICES DIVISION
 PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
 PRESIDING OFFICER

 Witness Date

Attest:

 Clerk

**MINUTES (DRAFT)
REGULAR MEETING OF THE CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
DECEMBER 16, 2014
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Closed Session—Butte Room

- A. Conferred with labor negotiator Steve Kroeger regarding negotiations with the following associations: Yuba City Firefighters Local 3793 Yuba City Fire Management, and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code
- B. Conferred with real property negotiator Steve Kroeger regarding possible sale by City of the following properties or portions thereof: Parcel 59-010-119, NW corner of Poole and Civic Center pursuant to Government Code Section 54956.8

Regular Meeting—Council Chambers

The City of Yuba City City Council meeting was called to order by Mayor Dukes at 6:02 p.m.

Roll Call

Present: Councilmembers Buckland, Cleveland, Didbal, Gill and Mayor Dukes
Absent: None

Invocation

Councilmember Buckland gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Cleveland led the Pledge of Allegiance.

Presentations and Proclamations

- 1. **California Law Enforcement Challenge (CLEC) Special Recognition Award**
California Highway Patrol Commissioner Stanley presented a Special Recognition award to Chief Robert Landon and the members of the Yuba City Police Department
- 2. **Fire Captain Greg Dickerson Retirement Proclamation**
Fire Captain Greg Dickerson was presented a Proclamation in honor of his retirement after serving the community for 24 years

Public Communication

- 3. **Written Requests** - none
- 4. **Appearance of Interested Citizens** - The following person spoke:
Stephanie Ruscigno, Sharon Drive, Yuba City regarding Canines for Veterans

Public Hearing

5. Proposed Levy of the 2015 Annual Assessment of the Downtown Yuba City Business Improvement District

Mayor Dukes opened the Public Hearing, hearing no comment, he closed the Public Hearing.

Councilmember Gill moved to adopt **Resolution No. 14-092** confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2015. Councilmember Buckland seconded the motion that passed with a unanimous vote.

Ordinance

6. Ordinance for Re-zone RZ 14-01 Located at 346 Walton Avenue. Applicant: Paramjit Bains / Property Owner: Stellar Scripts, Inc.

Councilmember Gill moved to adopt **Ordinance No. 004-14** for approving Rezone RZ 14-01 for amendments to the Official Zoning Map to amend the Zoning classification from Two Family Residential (R-1) District to Community Commercial (CC) District on 1.65 acres as shown in Exhibit A, and waive the second reading. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

Consent Calendar

Councilmember Buckland moved to adopt the Consent Calendar as presented. Councilmember Gill seconded the motion that passed with a unanimous vote on items 8-10 and abstentions on Item 7 from Councilmembers Cleveland and Didbal.

7. Minutes of November 18th & December 2nd, 2014

Approved the City Council Meeting Minutes of November 18th & December 2nd, 2014 meetings.

8. Submission of Re-Certification Application for Tree City USA Designation

Adopted **Resolution No. 14-093** 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.

9. Adoption of Sutter County Local Hazard Mitigation Plan Update

Adopted Resolution **No. 14-094** to adopt the Sutter County Local Hazard Mitigation Plan Update.

10. Development Impact Fees – Annual Report

Accepted the AB1600 Annual Report and adopt a Resolution finding that there is a reasonable relationship between current needs for the fees and the purposes for which they were originally collected.

General Items

11. Final Financial Report for Fiscal Year Ending June 30, 2014

Noted and Filed the Final Financial Report for the Fiscal Year Ending June 30, 2014

12. Comprehensive Annual Financial Report (CAFR) and Related Audits Reports for Fiscal Year Ended June 30, 2014

Councilmember Gill moved to accept the Comprehensive Annual Financial Report (CAFR) and related audit reports for Fiscal Year ended June 30, 2014. Councilmember Buckland seconded the motion that passed with a unanimous vote.

13. Presentation of Investment Report – Quarter Ending September 30, 2014

Noted and filed quarterly Investment Report

Business from the City Council

14. Appointments to City of Yuba City Boards and Commissions

Councilmember Gill moved to approve the City Council Screening Committee Recommendations for Appointments. Councilmember Didbal seconded the motion that passed with a unanimous vote.

15. Appointments to City Council Regional Boards and Committees for FY 2014-15

Councilmember Gill moved to approve the Mayor's Assignments to Regional Boards and Committees for FY 2014-15, with the change to assign Councilmember Didbal to the Sutter Animal Services Authority Board of Directors in place of Mayor Dukes. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

16. City Council Reports

- Councilmember Cleveland
- Councilmember Didbal
- Councilmember Gill
- Vice Mayor Buckland
- Mayor Dukes

Adjournment

Mayor Dukes adjourned the Regular Meeting of the City Council of the City of Yuba City at 7:18 p.m., in honor Henry Miller, a longtime community leader and father of two-term Mayor John Miller.

Attest:

Kash Gill, Mayor

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: City Clerk
Presentation By: Terrel Locke, City Clerk

Summary

Subject: Approve Appointments to the Feather River Air Quality Management District (FRAQMD) Board of Directors for 2015

Recommendation: Approve appointment of Marysville Councilmembers Dale Whitmore and Chris Pedigo (alternate) and Sutter County Supervisor Ron Sullenger (alternate) to the FRAQMD Board of Directors

Fiscal Impact: None.

Background:

The governing body of the FRAQM District is the nine member Board of Directors that includes five members from the two counties and four members from the four incorporated cities. Whenever a jurisdiction changes a member of the FRAQMD Board, the remaining jurisdictions must approve the new appointees.

Analysis:

A request for approval of the recommended members to the Board of Directors has been received from FRAQMD for the City of Marysville representation. This recommendation has been deemed to be compliant with the 2004 Amended and Restated Agreement. The City of Yuba City representative is Mayor Dukes, as confirmed by the Council on December 16, 2014.

Fiscal Impact:

None.

Alternatives:

Do not approve.

Recommendation:

Approve appointment of Marysville Councilmembers Dale Whitmore and Chris Pedigo (alternate) and Sutter County Supervisor Ron Sullenger (alternate) to the FRAQMD Board of Directors.

Attachment:

- Letter from Christopher D. Brown, AICP, Air Pollution Control Officer

Submitted By:

/s/ Terrel Locke

Terrel Locke
City Clerk

Reviewed By:

City Manager

SK



Serving Sutter and Yuba Counties

1007 Live Oak Blvd., Suite B-3
Yuba City, CA 95991
(530) 634-7659
FAX (530) 634-7660
www.fraqmd.org

Christopher D. Brown, AICP
Air Pollution Control Officer

To: City of Yuba City Council Members

From: Christopher D. Brown, AICP, Air Pollution Control Officer


Subject: **Approval of appointment to the Board of Directors of the Feather River AQMD**

Date: December 18, 2014

Recommendation:

Approve the new appointments to the Feather River Air Quality Management District Board of Directors for 2015.

Background and Discussion:

In accordance with the agreement for composition of the Feather River AQMD Board of Directors, the following new appointments listed below has been made. This action requires the approval of the Yuba City Council Members.

Directors:

Councilman Dale Whitmore (City of Marysville)
Councilman Chris Pedigo – Alternate (City of Marysville)

Fiscal Impact:

None

Committee Action:

None required.

ADMINISTRATION

DEC 29 2014

RECEIVED

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Public Works
Presentation by: Benjamin K. Moody, Senior Engineer – City Surveyor

Summary

Subject: Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8

Recommendation: Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

- a. Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8 (960 Gray Avenue)
- b. Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8 (pursuant to the Landscaping and Lighting Act of 1972).

Fiscal Impact: Revenue from the assessed parcel is to be used to provide for the operation, maintenance services, and district administration costs; \$184.32 for the single parcel.

Purpose:

To setup an assessment district to fund the operation, maintenance, and administration of a street light that is associated with a parcel development.

Background:

As part of the tentative map conditions for the proposed subdivision of 960 Gray Avenue the owner has been required to construct a street light on Rocca Way, and enter into a maintenance district. The maintenance district will fund the ongoing costs for the operation and maintenance of the street lighting system for the proposed parcel subdivision at 960 Gray Avenue.

The proposed Lighting Maintenance District will provide the funds for operating and maintaining one (1) LED type street light along the east side of Rocca Way, mid-block between SR-20 and Louise Avenue.

Analysis:

The City has created and modified several Lighting and Landscape Maintenance Districts, (LLMDs) that cover many commercial projects and subdivisions, over the past few years. When projects are conditioned to participate in a LLMD, there is a procedure that has to be followed in order to annex the project into an existing district. The process starts with the

adoption of a Resolution to Modify an existing district and a Resolution of Intention to create a Zone of Benefit for the project within the district and set the public hearing. Upon Council adoption of the Resolution to Modify and Resolution of Intention, staff sends out a Notice of Public Hearing and a ballot to all affected property owners at least 45 days prior to the date of the public hearing. The assessment ballots are to be received by the City Clerk prior to the public hearing. The Council conducts a public hearing, and the City Clerk then tabulates the votes. If the majority of the property owners have voted in favor of the LLMD, Council adopts a Resolution Confirming Diagram and Assessment and Levying Assessment for the fiscal year. During this process, the Public Works Department is required to prepare an Engineer's Report providing specific information related to the LLMD and to file it with the City Clerk. This information is provided to the Sutter County Tax Collector so that the properties can be assessed accordingly.

The attached resolutions set a public hearing for March 17, 2015, to receive input from the affected property owners and set the proposed assessments in accordance with the Engineer's Report which will be filed with the City Clerk later this month.

Fiscal Impact:

Revenue from the assessed parcel is to be used to provide maintenance services and district administration costs. The Engineer's Report for the Yuba City Lighting and Landscape Maintenance District No. 6 Zone of Benefit B_8 has determined that the annual assessed amount for the proposed LLMD is \$184.32, subject to an annual inflation increase.

Alternatives:

Do not adopt the following resolutions and fund the operation and maintenance of the streetlight from alternate sources.

Recommendation: Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

- a. Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8 (960 Gray Avenue)
- b. Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8 (pursuant to the Landscaping and Lighting Act of 1972).

Prepared by:

/s/ Benjamin K. Moody

Benjamin K. Moody
Senior Engineer

Submitted by:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
INITIATING PROCEEDINGS TO MODIFY THE YUBA CITY LIGHTING AND
LANDSCAPE MAINTENANCE DISTRICT NO. 6, ZONE OF BENEFIT B_8**

(Pursuant to the Landscaping and Lighting Act of 1972)

THE CITY COUNCIL OF THE CITY OF YUBA CITY RESOLVES:

1. The City Council proposes to modify a lighting and landscape maintenance district pursuant to the Landscaping and Lighting Act of 1972 (Section 22500 and following Streets and Highways Code) for the purpose of operating and maintaining lighting facilities associated with the development at 960 Gray Avenue.

2. The proposed assessment district Zone of Benefit shall be designated as Zone of Benefit B_8 of the Yuba City Lighting and Landscape Maintenance District No. 6, City of Yuba City, Sutter County, California, and shall include the lands shown on the attached map designated "Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8," which is on file with the City Clerk and is hereby approved.

3. The City Engineer, or designee, of the City of Yuba City is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the engineer to prepare and file with the City Clerk a report in accordance with Article 5 of Chapter 1 of the Landscaping and Lighting Act of 1972.

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 20th day of January 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
OF INTENTION FOR THE YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT NO. 6, ZONE OF BENEFIT B_8**

(Pursuant to the Landscaping and Lighting Act of 1972)

THE CITY COUNCIL OF THE CITY OF YUBA CITY RESOLVES:

1. The City Council intends to form the assessment district and to levy and collect assessments in accordance with the Landscaping and Lighting Act of 1972.
2. The improvements to be made in this assessment district are generally described as follows:

Street lighting and maintenance associated with 960 Gray Avenue.
3. This assessment district shall be known as the Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8, City of Yuba City, Sutter County, California.
4. In accordance with the City Council's resolution initiating proceedings, the City Engineer, or designee, will file with the City Clerk later this month the report required by the Landscaping and Lighting Act of 1972. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district to include an annual increase in assessments equal to the annual increase in the "All Urban Consumers" Consumer Price Index, US City Average, as compiled by the United States Department of Labor Bureau of Labor Statistics.
5. On March 17, 2015, at the hour of 6:00 P.M., the City Council will conduct a public hearing on the formation of this assessment district and the levy of the proposed assessment. The hearing will be held in the City Hall Council Chambers, 1201 Civic Center Boulevard, Yuba City, California.
6. City Clerk is authorized and directed to give the notice of hearing required by the Landscaping and Lighting Act of 1972.

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 20th day of January 2015.

AYES:

NOES:

ABSENT:

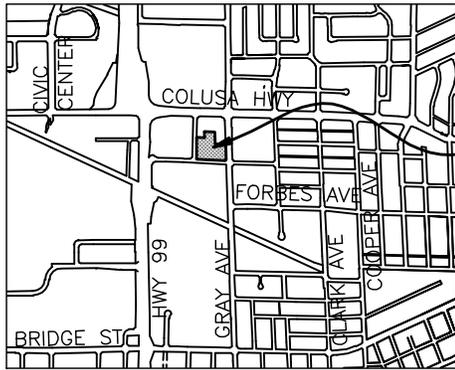
John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

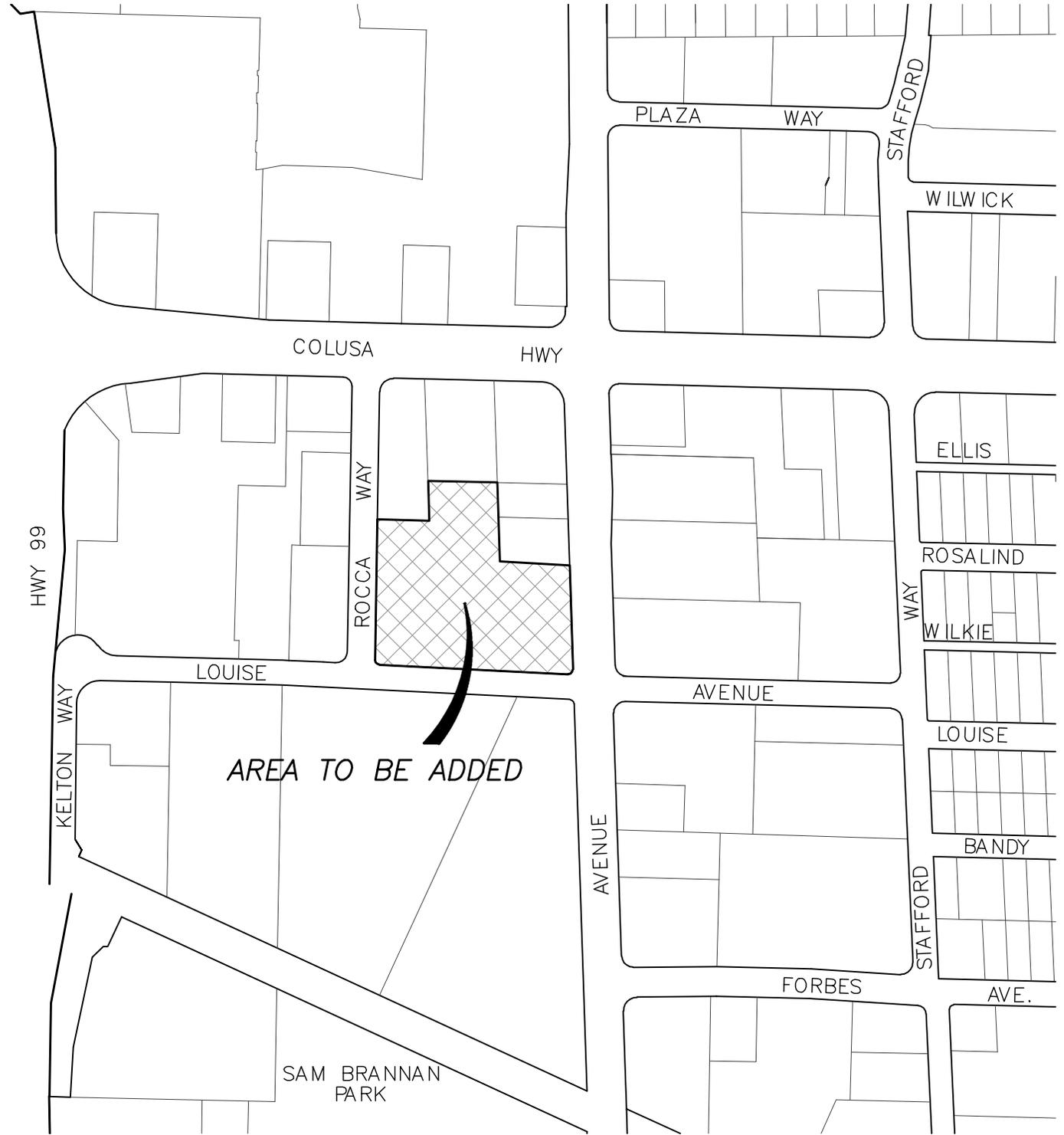


SCALE: 1" = 300'



SUBJECT AREA

960 GRAY AVENUE
LIGHTING & LANDSCAPE MAINTENANCE DISTRICT No. 6
ZONE OF BENEFIT B_8



AREA TO BE ADDED

ENGINEER'S REPORT

YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6



**2014 - 2015
ZONE OF BENEFIT B_8
(960 Gray Avenue)**

**ENGINEER'S REPORT
FOR
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated : 1/12/15

By : Diana Langley
Engineer of Work

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was filed with me on the ____ of _____, 2015.

Terrel Locke, City Clerk
City of Yuba City
Sutter County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was approved and confirmed by the City Council of the City of Yuba City, California, on the ____ of _____, _____.

Terrel Locke, City Clerk
City of Yuba City
Sutter County, California

By : _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was filed with the County Auditor of the County of Sutter, on the ____ of _____, 2015.

Terrel Locke, City Clerk
City of Yuba City
Sutter County, California

By : _____

ENGINEER'S REPORT
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6
ZONE OF BENEFIT B_8
(960 Gray Avenue)

(Pursuant to the Landscaping and Lighting Act of 1972)

Diana Langley, Engineer of work for the Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_8, City of Yuba City, County of Sutter County, California, makes this report as directed by City Council, pursuant to Section 22585 of the Streets and Highway Code (Landscape and Lighting Act of 1972).

The improvements to be maintained subject to this report are the street lighting system adjacent to parcel number 52-020-027, located at 960 Gray Avenue.

This report consists of five parts, as follows:

Part A- Plans and specifications (the improvements to be maintained are not filed with the City Clerk, since this will be a maintenance district only).

Part B - An estimate of the cost of maintenance.

Part C - An assessment of the estimated cost of maintenance on each benefited parcel of land within the assessment district (see attached list).

Part D - A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

Part E - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Part C by assessment number.



Respectfully submitted,

Diana Langley

Diana Langley
Engineer of Work
City of Yuba City

**PART A
PLANS AND SPECIFICATIONS**

**YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6
ZONE OF BENEFIT B_8
(960 Gray Avenue)**

This is a maintenance district only -- no plans or specifications are required.

**PART B
ESTIMATE OF COST OF MAINTENANCE**

**Yuba City Lighting and Landscape Maintenance District No. 6
Zone of Benefit B_8
(1 Lot)**

| | <u>Total</u> |
|--|--------------------|
| Street Lighting (Collector/Arterial) Fixture Type: LEDway Street Light Type II Medium 4,750 min. initial delivered lumens @ 4,000 - 4,400K color temperature | |
| <u>Calculation per fixture</u> | |
| Use = 70 watts@ 120-480V | |
| PG&E LS-2 Rate 10/1/14: (\$3.426/month + \$0.206/month) *12 months/year = energy charge + facility charge | \$43.58 |
| <u>Fixture Cost</u> | |
| 15 year life expectancy (\$705 / 15years) = | \$47.00 |
| <u>Installation, Maintenance Cost</u> | |
| Use 8 hour replacement / maintenance in a 15 year period | |
| Yuba City Public Works Department Electrical Maintenance – Fully Burdened FY14/15 | |
| 8 Hours Electrician (8 * \$144.34/hr)/15year = | \$76.98 |
| Subtotal | = \$ 167.56 |
| CPI multiplier (1.0) | \$ 167.56 |
| 10% Administration = | <u>16.76</u> |
| Subtotal Assessment = | \$ 184.32 |

**PART C
ASSESSMENT ROLL**

**Yuba City Lighting and Landscape Maintenance District No. 6
ZONE OF BENEFIT B_8**

| Assessment # | Assessor's # | Amount of Assmt. |
|---------------------|---------------------|-------------------------|
| 1 | 52-020-027 | \$ 184.32 |

PART D
METHOD OF APPORTIONMENT OF ASSESSMENT

Yuba City Lighting and Landscape Maintenance District No. 6
Zone of Benefit B_8

All areas within the LLMD will share equally in the maintenance costs of the one 70-watt LED street light (\$184.32 per light per year). All additional lots added to this Zone of Benefit will benefit in like manner.

The proposed assessments upon assessable lots and parcels of land within the assessment district shall be adjusted annually on each July 1 to reflect changes from May of the previous year to May of the current year of the "All Urban Consumers" Consumer Price Index, US City Average, as compiled by the United States Department of Labor, Bureau of Labor Statistics.

A 10% administration charge will be added to each assessment to cover the cost to administer the District.

Consumer Price Index

| Year | Consumer Price Index | Multiplier |
|----------|----------------------|------------|
| May 2014 | 237.900 | 1.000 |
| | | |

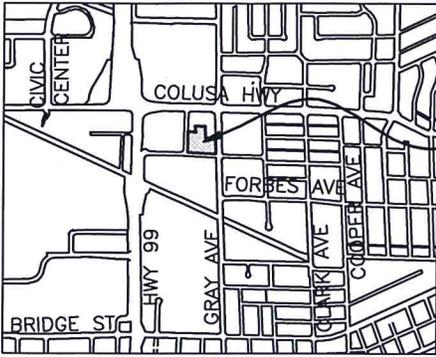
PART E

ASSESSMENT DIAGRAM

Yuba City Lighting and Landscape Maintenance District No. 6

ZONE OF BENEFIT B_8

(960 Gray Avenue)



SUBJECT AREA



SCALE: 1" = 300'

960 GRAY AVENUE
LIGHTING & LANDSCAPE MAINTENANCE DISTRICT No. 6
ZONE OF BENEFIT B_8



CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Benjamin Moody, Senior Engineer – City Surveyor

Summary

Subject: Domain Estates Phase 2 Acceptance

Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Amended Domain Estates Phase 2 Subdivision Map Agreement with Interwest Homes Corp and authorizing the developer to file a Notice of Completion. [Subdivision is located on the west side of Blevin Road north of Butte House Road]

Fiscal Impact: None

Purpose:

Accept the satisfactorily constructed street improvements for public use and begin the one year warranty period.

Background:

On September 2, 2014 the City Council authorized a resolution to execute a Subdivision Agreement with the Developer “Interwest Homes Corp”, for the Domain Estates Phase 2 project. Per the agreement the Developer was to construct the determined improvements and upon completion, dedicate and offer the improvements to the City to constitute public improvements.

Analysis:

The Domain Estates Phase 2 street improvements have been constructed to the satisfaction of the City. At this time, the Developer is requesting acceptance of Phase 2 improvements so that the one year warranty period can begin. All of the required improvements within Phase 2 have been constructed in conformance with the approved plans and specifications. With the acceptance, the Developer will provide security for the guarantee and warranty of the work in the amount of 5% of the cost of the improvements, which equates to \$23,650.

Fiscal Impact:

With the acceptance of the improvements, the City will become responsible for the maintenance of the public improvements, including the water, sewer, and storm drain lines, streets, street lights, landscaping, etc. Residents within the subdivision participate in Lighting and Landscape Maintenance District No. 5 which pays for the maintenance of the street lights and landscaping.

Maintenance costs for the water and sewer lines will come from the Water Enterprise and Sewer Enterprise funds, respectively, and maintenance of the streets and storm drains will be funded with gas tax funds.

Alternatives:

Delay or modify the recommended actions

Recommendation:

Adopt a resolution accepting certain street and related improvements pursuant to the Amended Domain Estates Phase 2 Subdivision Map Agreement with Interwest Homes Corp and authorizing the developer to file a Notice of Completion. [Subdivision is located on the west side of Blevin Road north of Butte House Road]

Prepared by:

/s/ Benjamin Moody
Benjamin Moody
Senior Engineer – City Surveyor

Submitted by:

/s/ Steve Kroeger
Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

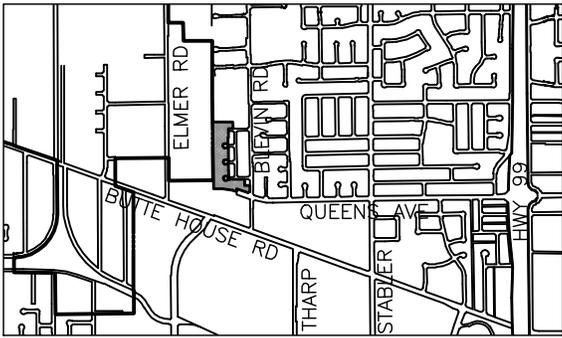
TH

DOMAIN ESTATES PHASE 2

 DOMAIN ESTATES PHASE 2
20 LOTS

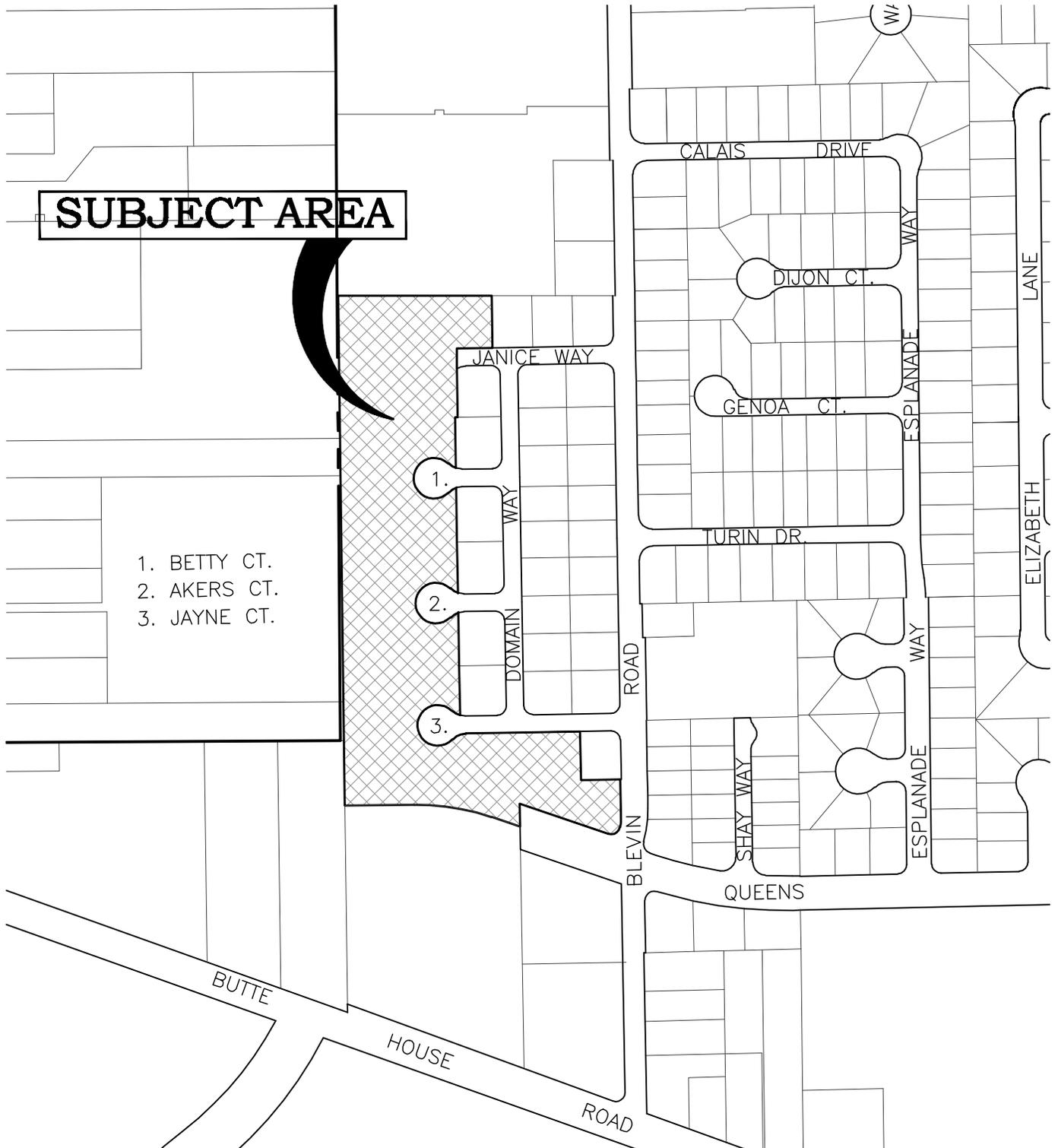


SCALE: 1" = 300'



SUBJECT AREA

1. BETTY CT.
2. AKERS CT.
3. JAYNE CT.



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACCEPTING CERTAIN STREET AND RELATED IMPROVEMENTS
PURSUANT TO THE AMENDED DOMAIN ESTATES PHASE 2
SUBDIVISION MAP AGREEMENT DATED SEPTEMBER 2, 2014,
BETWEEN THE CITY OF YUBA CITY AND INTERWEST HOMES
CORP, AND DIRECTING THE DEVELOPER TO FILE THE NOTICE OF
COMPLETION**

WHEREAS, the City of Yuba City has heretofore contracted with Interwest Homes Corp for certain work pursuant to that Amended Domain Estates Phase 2 Subdivision Map Agreement dated September 2, 2014, between the City of Yuba City and Interwest Homes Corp; and

WHEREAS, said work of improvements called for by said Agreement for street and related improvements was completed to the satisfaction of the City, and a maintenance bond insuring the work of improvements from a maintenance standpoint for a period of one (1) year from and after completion has been provided.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Yuba City hereby accepts the work performed on those certain improvements, the subject of the Subdivision Agreement between the City of Yuba City and Interwest Homes Corp, and authorizes and directs the developer to execute and record a Notice of Completion in connection with said work of improvement.

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 20th day of January, 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Human Resources Department
Presentation By: Natalie Walter, Human Resources Director

Summary

Subject: Establishing pre-tax employee contributions towards retirement
Recommendation: Adopt a Resolution to ensure contributions made to CalPERS which are designated as employee contributions are made on a pre-tax basis.
Fiscal Impact: None.

Purpose:

To ensure that employee contributions to CalPERS made pursuant to payroll deduction are made on a pre-tax basis.

Background:

Historically, with few exceptions, the City has paid both the member and employer contributions to CalPERS for employees' retirement benefits. This is similar to what many other public agencies did and continued to do up until pension reform was implemented in 2013.

Consistent with the foregoing, the City's bargaining unit contracts were negotiated to reflect that the City would pay most, if not all, of the employee's share of costs to fund their retirement benefits. These amounts were made on pre-tax basis in accordance with Resolution No. 7349 (referred to as the 414(h)(2) Resolution) which was approved at the January 5, 1987 City Council meeting.

As a result of the economic downturn and pension reform, along with other factors including public pressure, the tide began to turn against employers paying the employees' share of costs to fund their retirement benefits. In fact, over the course of the 2014 negotiations, the City and many of its bargaining units negotiated agreements which reflect employees' agreement to pay their share of costs to fund their retirement benefits. The foregoing relates to classic members only since new members have been paying their share of retirement benefit costs in accordance with pension reform.

Analysis:

Now that "classic member" employees have agreed to pay their share of costs to fund their retirement benefits, the City wants to ensure the proper IRS resolution is in place so employees can contribute to their retirement benefits on a pre-tax basis. Although City Resolution 7349

meets the requirements of CalPERS and CalPERS has represented to the City that it is sufficient, the City has been advised that the Resolution is technically deficient. Specifically, in defining the types of "employee contributions" that will be made on a pre-tax basis, the Resolution fails to include contributions that are paid by employees pursuant to payroll deduction. While the City adopted the Resolution as instructed by CalPERS, the determination of whether the requirements of Section 414(h)(2) of the Internal Revenue Code are met, and therefore employee contributions are properly treated as pre-tax, is made pursuant to federal tax rules not CalPERS rules. Therefore, in an IRS audit, the City would be at risk to the extent that it treats employee contributions made by payroll deduction as pre-tax without the proper tax language in place.

Tonight's resolution will clarify that in adopting Resolution 7349, the City intended (as represented by CalPERS) that all contributions designated as employee contributions, whether paid by the City or by employees, would be made on a pre-tax basis. It applies to any "employee designated" contribution made to CalPERS regardless of whether it is paid by the City or by employees. The only effect of the attached resolution is to ensure that said contributions are made on a pre-tax basis. It does not change the manner in which the contributions are paid. The intent is to have the pre-tax status extend to contributions paid by employees by payroll deduction.

Fiscal Impact:

None.

Recommendation:

Adopt a Resolution to ensure contributions made to CalPERS which are designated as employee contributions are made on a pre-tax basis.

Alternatives:

Do not approve the Resolution and provide Staff direction.

Attachments:

Attachment 1: Resolution No. 7349
Attachment 2: Tax Defer Resolution

Prepared By:

/s/ Natalie Walter

Natalie Walter
Human Resources Director

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

TH

RESOLUTION NO. 7349

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING THE EMPLOYER "PICK-UP" OF CITY MEMBER CON-
TRIBUTIONS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM
FOR INCOME TAXATION PURPOSES.

WHEREAS, the City of Yuba City has the authority to implement the provisions of Section 414(h)(2) of the Internal Revenue code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution re Section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated on December 6, 1985, that the implementation of the provisions of Section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of Section 414(h)(2) IRC; and

WHEREAS, the City of Yuba City has determined that even though the implementation of the provisions of Section 414(h)(2) IRC is not required by law, the tax benefit offered by Section 414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED, that the City of Yuba City will implement the provisions of Section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code Section 20615 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees' Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code Section 20615.

BE IT FURTHER RESOLVED that the contributions made by the City of Yuba City to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the City of Yuba City in lieu of contributions by the employees who are members of the Public Employees' Retirement System;

That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Yuba City to the Public employees' Retirement System;

That the City of Yuba City shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary;

That the amount of the contributions designated as employee contributions and paid by the City of Yuba City to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code Sections 20000, et seq.).

That the contributions designated as employee contributions made by City of Yuba City to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

The foregoing resolution was introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 5th day of January, 1987.

Ayes: Councilmembers Fraser, Mark, Meagher, Nelson and Mayor Garcia
Noes: None
Absent: None



MAYOR

ATTEST:



CITY CLERK



007349

RESOLUTION NO. 15-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
FOR THE AFFIRMATION AND IMPLEMENTATION OF THE
PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE
CODE TO TAX DEFER EMPLOYEE RETIREMENT CONTRIBUTIONS
TO CALPERS**

WHEREAS, the City Council of the City of Yuba City ("City") has the authority to implement the provisions of Section 414(h)(2) of the Internal Revenue Code ("IRC") whereby any amount contributed to a public employer pension plan, which is designated as an employee contribution, may be picked up on a pre-tax basis by the public employer and excluded from an employee's gross income if the employer specifies that the contributions, although designated as employee contributions to the plan, are being paid by the employer in lieu of contributions by the employee, and the employee cannot choose to receive the amounts directly instead of having them paid into the plan; and

WHEREAS, the City Council has determined that even though the implementation of the provisions of IRC Section 414(h)(2) is not required by law, the tax benefit offered by IRC Section 414(h)(2) in reducing taxable employee gross income should be provided to all City employees who are members of CalPERS; and

WHEREAS, Internal Revenue Service Revenue Ruling 2006-43 requires an employer take contemporaneous action evidencing an intent to establish a proper pick-up under IRC Section 414(h)(2); and

WHEREAS, the City Council previously adopted Resolution No. 7349 which CalPERS requires in order to tax-defer normal member contributions paid by employees pursuant to salary reduction but which fails to make the distinction between said contributions and the employer paid member contributions paid by the City as permitted by Government Code Section 20691 ("EPMC"); and

WHEREAS, out of an abundance of caution, the City Council has determined it is prudent to adopt this Resolution to distinguish between normal member contributions paid pursuant to employee salary reductions and the EPMC.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

(a) Pursuant to IRC Section 414(h)(2), the City Council hereby elects to reaffirm its implementation of an employer pick-up pursuant to Resolution No. 7349 and to implement an employer pick-up pursuant to this Resolution, of employee retirement contributions on behalf of City employees who are members of CalPERS. "Employee retirement contributions" shall mean both those contributions paid by salary reduction and credited to individual employee's account as normal member contributions and normal member contributions paid directly by an employer pursuant to Government Code Section 20691. This provision will apply to all employees of the City that are members of CalPERS.

(b) Picked up contributions, although designated as employee contributions to CalPERS, will be picked up on a pre-tax basis, whether paid pursuant to salary reduction or

directly by the City pursuant to Government Code Section 20691, in lieu of employee contributions so that such contributions are treated as employer contributions.

(c) Employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City to CalPERS.

(d) Amounts picked up by the City shall be paid from the same sources of funds as used in paying salary.

(e) Amounts picked up by the City shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by CalPERS. This treatment shall apply to all employees of the City.

(f) If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The City Council hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

The foregoing resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 20th day of January, 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Steve Kroeger, City Manager

Summary

Subject: California Integrated Waste Management AB 939 Local Task Force Membership Update

Recommendation: Adopt a Resolution approving the updated AB 939 Local Task Force Membership List dated January 2015 for the Source Reduction and Recycling Element, Household Hazardous Waste Element, Non-disposal Facility Element, Siting Element and County/Regional Agency Integrated Waste Management Plan documents

Fiscal Impact: None.

Purpose:

To approve the updated AB 939 Local Task Force Membership List.

Background & Analysis:

The California Integrated Waste Management Act of 1989 (AB 939), as amended, and the implementing regulations established a requirement for a local task force to be convened to advise jurisdictions during preparation and revision of the Source Reduction and Recycling Element, Household Hazardous Waste Element, Non-disposal Facility Element, Siting Element and County/Regional Agency Integrated Waste Management Plan documents.

Regional Waste Management Authority (RWMA) staff determined that it is appropriate to update and reapprove the local task force membership at this time although the RWMA Board does not approve the Local Task Force membership. California Public Resources Code Section 40950 (b) stipulates the following relative to the task force membership:

(b) The membership of the task force shall be determined by the county and by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county, except in those counties which have only two cities, in which case the membership of the task force is subject to approval of the city which contains the majority of the population of the incorporated area of the county. The task force may include representatives of the solid waste industry, environmental organizations, the general public, special districts, and affected governmental agencies.

Attached is a proposed updated membership roster dated January 2015 which replaces prior members who are no longer associated with the subject entities with persons in the same or similar positions. The RWMA Administrators have reviewed and concurred with the proposed

updated membership.

Fiscal Impact:

None

Recommendation:

Adopt a resolution approving the updated AB 939 Local Task Force Membership List dated January 2015.

Prepared by:

/s/ Terrel Locke

Terrel Locke
Assistant to the City Manager

Submitted by:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE UPDATED CALIFORNIA INTEGRATED WASTE
MANAGEMENT AB 939 LOCAL TASK FORCE MEMBERSHIP LIST
DATED JANUARY 2015**

WHEREAS, the State of California enacted the California Integrated Waste Management Act of 1989 (Act); and

WHEREAS, the Act and the implementing regulations require that a local task force be convened for review of certain waste management planning documents; and

WHEREAS, membership of the local task force serving the Yuba-Sutter region needs to be updated to replace members who are no longer associated with the subject entities; and

WHEREAS, Regional Waste Management Authority staff reviewed the updated membership list with the administrators of each city and county in the region.

WHEREAS, California Public Resources Code Section 40950(b) specifies that the membership of the task force in counties which have only two cities is subject to approval of the county and the city which contains the majority of the population of the incorporated area of the county and Yuba City is the city which contains the majority of the population of the incorporated area of Sutter County. The referenced section also specifies that the task force may include representatives of the solid waste industry, environmental organizations, the general public, special districts, and affected governmental agencies.

NOW, THEREFORE BE IT RESOLVED that the attached updated AB 939 Local Task Force Membership List dated January 2015 is hereby approved and shall be forwarded to the California Department of Resources Recycling and Recovery (CalRecycle) within 30 days of this approval.

Passed and adopted by the City Council of the City of Yuba City this 20th day of January, 2015 by the following vote:

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

AB 939 LOCAL TASK FORCE - MEMBERSHIP LIST

SUTTER COUNTY

Doug Libby, Principal Planner – 822-7400
1130 Civic Center Blvd.
Yuba City, CA 95993
dlibby@co.sutter.ca.us

SUTTER CO. ENVIRONMENTAL HEALTH & CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)

Sukh Sahota, Supervising Environmental
Health Specialist – 822-7400
1130 Civic Center Blvd.
Yuba City, CA 95993
ssahota@co.sutter.ca.us

YUBA COUNTY

Tej Maan, Environmental Health Director
749-5450
County of Yuba
915 Eighth Street
Marysville, CA 95901
tmaan@co.yuba.ca.us

YUBA CO. ENVIRONMENTAL HEALTH

Jag Sahota, LEA – 749-5450
County of Yuba
915 Eighth Street
Marysville, CA 95901
jsahota@co.yuba.ca.us

YUBA CO. CERTIFIED UNIFIED PROGRAM AGENCY (CUPA)

Clark Pickell – 749-5450
County of Yuba
915 Eighth Street
Marysville, CA 95901
cpickell@co.yuba.ca.us

BEALE AFB

Eric G. Maresh – 634-2644
9th CES/CEVP
6601 B Street
Beale Air Force Base, CA 95903
eric.maresh@beale.af.mil

LIVE OAK

Jim Goodwin, City Manager
City of Live Oak
9955 Live Oak Blvd.
Live Oak, CA 95953
citymgr@liveoakcity.org

MARYSVILLE

Walter Munchheimer, City Manager – 749-3901
Alternate: Dave Lamon, Public Works Director
P.O. Box 150
Marysville, CA 95901
wmunchheimer@marysville.ca.us

WHEATLAND

Stephen Wright, City Manager – 633-2761
City of Wheatland
111 C Street
Wheatland, CA 95692
swright@wheatland.ca.gov

YUBA CITY

Steve Kroeger, City Manager
822-4620
City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993
skroeger@yubacity.net

RECOLOGY YUBA-SUTTER - Operations

Terry Bentley, Operations Manager – 743-6933
Alternate: Jackie Sillman, Community Relations
Manager
P.O. Box G
Marysville, CA 95901
tbentley@recology.com

RECOLOGY YUBA-SUTTER - HHW Facility

Stephanie Kendall, Environmental Program Manager –
743-6933
Alternate: Pablo Curiel, Environmental
Compliance Specialist
P.O. Box G
Marysville, CA 95901
skendall@recology.com

*January 2015
Update*

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015

To: Honorable Mayor & Members of the City Council

From: Public Works Department

Presentation by: Diana Langley, Public Works Director

Summary

Subject: Feather River Air Quality Management District (FRAQMD) Agreement No. VF14-03 – Acceptance of Blue Sky Grant for \$48,785 for the Yuba City Class II Bike Lanes Project 2015 and Agreement No. VF 14-04 – Acceptance of Blue Sky Grant for \$4,512 for the May is Bike Month 2015 Project

Recommendation:

- a. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-03, accepting \$48,785 in Blue Sky Grant funds for the Yuba City Class II Bike Lanes Project 2015 including the necessary budget adjustments outlined in the fiscal impact.
- b. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-04, accepting \$4,512 in Blue Sky Grant funds for the May is Bike Month 2015 Project including the necessary budget adjustments outlined in the fiscal impact.
- c. Authorize the Finance Director to make a supplemental appropriation of \$51,203 from unallocated Road Funds to Account No. 921024 (Striping and Markings).

Fiscal Impact: Total Project Estimate - \$104,500 broken down as follows:
 \$48,785 – FRAQMD Agreement No. VF14-03
 \$4,512 – FRAQMD Agreement No. VF14-04
 \$51,203 – Account No. 921024-65501 (Striping and Markings)

Staff requests a revenue budget adjustment of \$53,297 for the revenue associated with these grants along with a supplemental appropriation of the grant funds, \$53,297, plus \$51,203 in unallocated Road Funds to Account No. 921024-65501 (Gas Tax - Striping and Markings).

Purpose:

To secure \$53,297 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 four 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.
- 2014 - \$46,500 for promotion of May is Bike Month 2014 and the installation of 0.4 miles of Class II Bike Lanes.

Analysis:

In August 2014, FRAQMD issued a Request for Proposals for FY 14/15, in which \$200,000 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 2015 – Provides for the installation of Bike Lanes on Teegarden Avenue from the Levee Bike Path at Sutter Street to Shasta Street and the designation of a Class III Bike Route from Shasta Street to Plumas Street (see attached Exhibit).
- May is Bike Month 2015 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 2014 to award a total of \$53,297 to the City for both projects. The City has until December 31, 2015 to implement the projects.

Fiscal Impact:

The total estimated project cost for the Yuba City Class II Bike Lanes Project 2015 is \$94,000. With the execution of the Agreement, the City will receive \$48,785 in Blue Sky Program funds from FRAQMD. The remaining \$45,215 will come from Road funds through Account No. 921024-65501 (Striping and Markings).

The total estimated project cost for the May is Bike Month 2015 Promotion is \$10,500. With the execution of the Agreement, the City will receive \$4,512 in Blue Sky Program funds from FRAQMD. The remaining \$5,988 will come from Road Funds through Account No. 921024-65501 (Striping and Markings).

Staff requests a revenue budget adjustment of \$53,297 for the revenue associated with these grants along with a supplemental appropriation of the grant funds, \$53,297, plus \$51,203 in unallocated Road Funds, to Account No. 921024-65501 (Striping and Markings) to cover the entire estimated cost of the project.

Alternatives:

1. Do not accept the grants.
2. Reduce the scope of work within the guidelines of the grant agreements to reduce the City's contribution to the projects.

Recommendation:

- a. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-03, accepting \$48,785 in Blue Sky Grant funds for the Yuba City Class II Bike Lanes Project 2015 including the necessary budget adjustments outlined in the fiscal impact.
- b. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF14-04, accepting \$4,512 in Blue Sky Grant funds for the May is Bike Month 2015 Project including the necessary budget adjustments outlined in the fiscal impact.
- c. Authorize the Finance Director to make a supplemental appropriation of \$51,203 from unallocated Road Funds to Account No. 921024 (Striping and Markings).

Prepared by:

/s/ Diana Langley

Diana Langley
Public Works Director

Submitted by:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Finance

RB

City Attorney

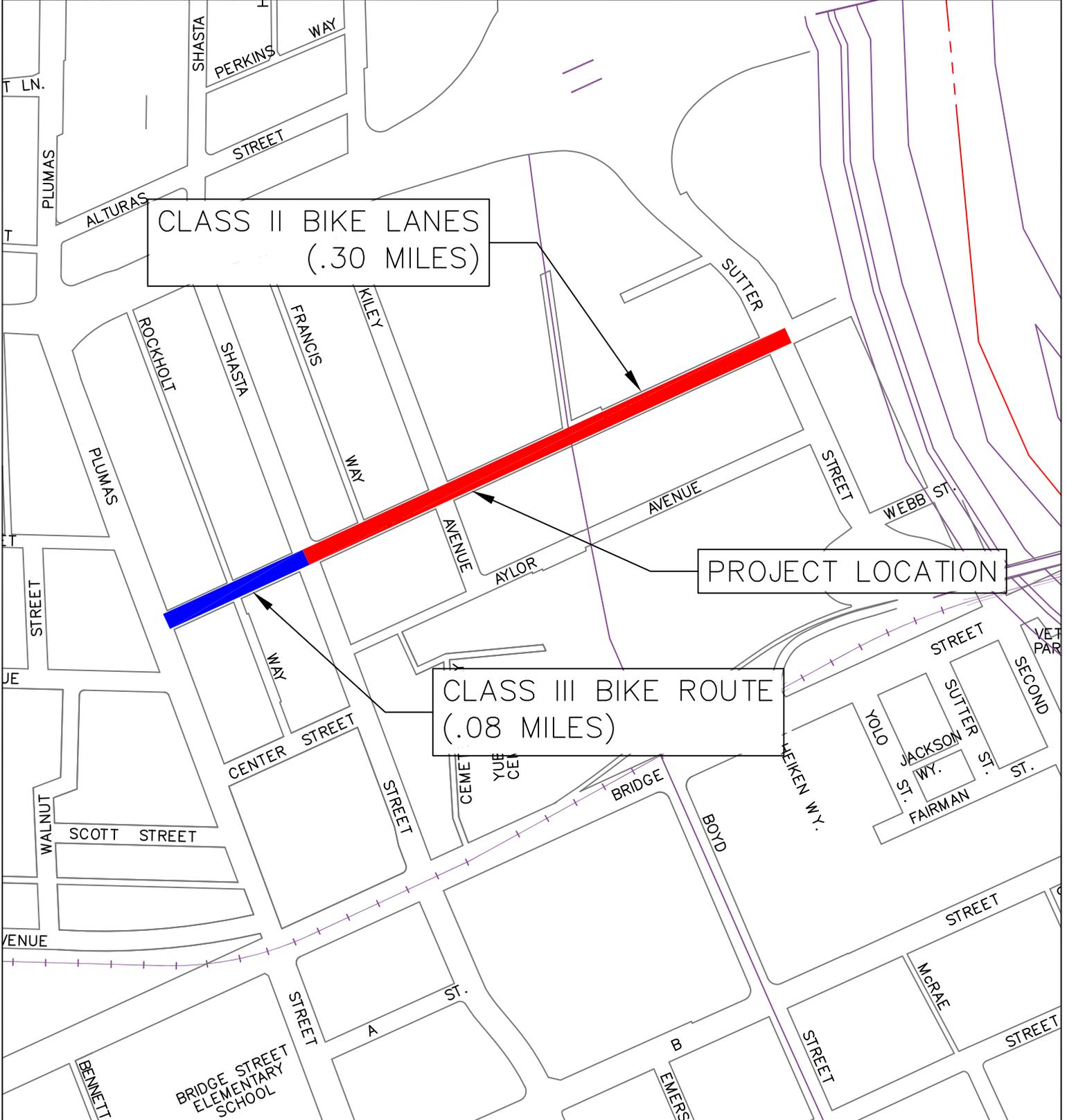
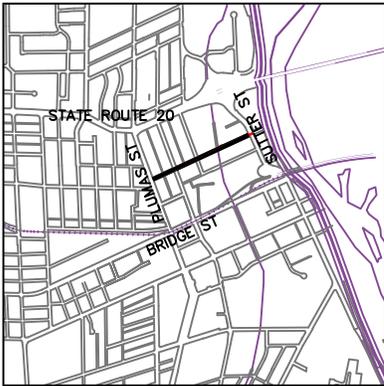
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EXHIBIT A

YUBA CITY BIKE LANES PROJECT 2015 BLUE SKY PROGRAM



SCALE: 1" = 400'



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING EXECUTION OF FRAQMD AGREEMENT NO. VF14-03
WITH FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR
THE YUBA CITY CLASS II BIKE LANES PROJECT 2015**

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. VF14-03 between the City of Yuba City and Feather River Air Quality Management District for the Yuba City Class II Bike Lanes Project 2015.

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 20th day of January 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING EXECUTION OF FRAQMD AGREEMENT NO. VF14-04
WITH FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR
THE MAY IS BIKE MONTH 2015 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. VF14-04 between the City of Yuba City and Feather River Air Quality Management District for the May is Bike Month 2015 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 20th day of January 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2014
To: Honorable Mayor & Members of the City Council
From: Fire Department
Presentation By: Peter H. Daley, Fire Chief

Summary

Subject: 2014 Homeland Security Grant Program

Recommendation: Accept funding from the 2014 Homeland Security Grant and authorize appropriate modification to the Fire Department's budget.

Fiscal Impact: Receipt of \$45,638 in Homeland Security Grant funds for reimbursement of Capital Outlay Expenditures --100% reimbursed by the State.

Purpose:

Enhance Fire Department emergency response and firefighter safety.

Background:

In an effort for local agencies to be better prepared to deal with weapons of mass destruction, the Federal Department of Homeland Security, in conjunction with the State of California, has allocated funding to be distributed to all counties and local agencies within the State under the 2014 Homeland Security Grant program.

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

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

Analysis:

For the 2014 Homeland Security Grant cycle, the Yuba City Fire Department has been allocated \$45,638 for the purchase of five thermal imaging cameras. As you know, thermal imaging cameras are used to pick up body heat and allow people to be located in smoky, dark or extremely hot places. Firefighters use the cameras to quickly locate the source of the fire in a structure or to find people who are visually obscured.

The Department's existing thermal imaging cameras were purchased over ten years ago using grant funds. Though the manufacturers do not specify a product life for the cameras, our existing units are beginning to encounter maintenance and operational issues. These new thermal imaging cameras will replace the units on our first out engines, with the older units placed on reserve engines.

Fiscal Impact:

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

City Council action will allow the City's Financial Director to make the following budget amendments:

- 1) Accept the award of the 2014 Homeland Security Grant in the amount of \$45,638;
- 2) Approve a revenue budget adjustment to account 100-43419 (Homeland Security Grant-Fire) in the amount of \$45,638;
- 3) Approve a supplemental budget appropriation to the Fire Department's account #2324-69201 in the amount of \$45,638 for the purchase of five thermal imaging cameras.

Alternatives:

Do not approve the grant award.

Recommendation:

Accept funding from the 2014 Homeland Security Grant and authorize appropriate budget modifications.

Prepared By:

/s/ Peter Daley

Peter H. Daley
Fire Chief

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

TH

CITY OF YUBA CITY
STAFF REPORT

Date: January 20, 2015

To: Honorable Mayor & Members of the City Council

From: Human Resources Department

Presentation By: Natalie Walter, Human Resources Director

Summary

Subject: Implementation of Last, Best, and Final Offer to Yuba City Firefighters

Recommendation:

1. Adopt a Resolution implementing the City's Last, Best, and Final Offer to Yuba City Firefighters effective January 24, 2015.
2. Adopt a Resolution for CalPERS stating the City is no longer paying the Yuba City Firefighters' member contribution effective January 24, 2015.

Fiscal Impact: A decrease in cost of \$810,000 annually

Background:

The City's employment agreement with the Yuba City Firefighters, IAFF Local 3793 (IAFF) expired on June 30, 2014. IAFF and the City met for negotiations from January 29 through October 27, 2014, but were unable to agree on terms of a successor agreement.

The City continues to face rising worker's compensation costs, increases in health care costs, and additional employee pension obligations due to restructuring of CalPERS policies. These multiple financial hits have continued the financial strain the City has been experiencing since Fiscal Year 2008/2009.

In an attempt to determine whether operational efficiencies could be achieved in the Fire Department, the City retained the International City/County Management Association (ICMA) to review Fire operations. After an extensive investigation, ICMA made several recommendations for streamlining Fire Department operations to achieve ongoing budget savings, including implementing two-person response companies at two fire stations, utilization of temporaries or acting pay for planned and unplanned absences, and excluding vacation and sick leave for the purpose of overtime calculations. City negotiators proposed each of these cost-saving measures to IAFF at the outset of bargaining.

At the same time, the City was looking to eliminate the existing furlough program by achieving similar cost savings from all bargaining units. Among these common cost-saving proposals were a cap on healthcare contributions at the 2014 rate and having employees

pay all of the employee contribution toward their pensions. Both of these proposals were made to IAFF at the outset of bargaining, as they were to all other bargaining units.

At the start of negotiations, the City calculated that it needed at least \$800,000 in annual savings from the Fire Department. The City told IAFF that it would consider any proposal that achieved this savings goal and met its operational objectives. However, during months of negotiations IAFF never made a proposal that met the City's criteria, either financially or operationally.

On November 7, 2014, the City presented IAFF with its Last, Best, and Final Offer. Receiving no response from IAFF, the City declared impasse on November 13, 2014. On November 20, 2014, IAFF and City representatives met for the impasse meeting required by Section 3.06B of the City's Employer-Employee Relations Rules and Regulations, but were unable to reach agreement on resolving the impasse.

Analysis:

Implementation of the Last, Best, and Final Offer will include the following terms:

1. Employees pay the entire employee contribution toward CalPERS – 9%.
2. Elimination of furloughs.
3. Cap healthcare at 2014 dollar contribution.
4. Vacation and sick leave not counted as time worked for overtime calculations.
5. Fire department staffing according to ICMA recommendations, i.e. 2 two-person response companies.
6. Acting pay or temps for vacancies and first employee on overtime goes home from 8 pm to 8 am.

Fiscal Impact:

The proposed changes will result in a net decrease in cost of \$810,000 for annually (breakdown of savings provided in Attachment 1).

Recommendation:

Adopt a Resolution implementing the City's Last, Best, and Final Offer to Yuba City Firefighters effective January 24, 2015. Adopt a Resolution for CalPERS stating the City is no longer paying the Yuba City Firefighters' member contribution effective January 24, 2015.

Alternatives:

Do not implement the City's Last, Best, and Final Offer, and provide staff direction.

Attachments:

Attachment 1: Cost impact of LBFO Terms

Attachment 2: IAFF LBFO Resolution

Attachment 3: CalPERS Member Contribution Resolution

Prepared By:

/s/ Natalie Walter

Natalie Walter
Human Resources Director

Submitted By:

/s/ Steve Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

City Attorney

RB

TH

Attachment 1: Cost Impact of LBFO Terms

| | |
|--|----------------------------|
| Employees Pay EEs share of PERS-9% | \$ (350,000) |
| Eliminate Furlough | 575,000 |
| Cap Medical Contribution at Current Amount | (40,000) |
| Vacation & S/L not time worked for FLSA O/T | (128,000) |
| ICMA Staffing Model-Two 2 Person Engine Companies | (662,000) |
| Acting Pay or Temps for Vacancies and 1st Employee on O/T goes home from 8 PM to 8 AM | <u>(205,000)</u> |
| Total Net Savings | <u><u>\$ (810,000)</u></u> |

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE IMPLEMENTATION OF LAST, BEST, AND FINAL OFFER
TO YUBA CITY FIREFIGHTERS**

WHEREAS, the City's employment agreement with the Yuba City Firefighters, IAFF Local 3793 (IAFF) expired on June 30, 2014;

WHEREAS, City staff calculated at least \$800,000 was needed in annual savings from IAFF;

WHEREAS, City staff and representatives from IAFF have negotiated the IAFF's employment agreement since January 29, 2014 which included sixteen meetings;

WHEREAS, IAFF never made a proposal that met the City's criteria;

WHEREAS, City staff and IAFF are unable to agree on terms of a successor agreement;

WHEREAS, the City declared impasse on November 13, 2014 and the City and IAFF was unable to reach agreement on resolving impasse at the required impasse meeting on November 20, 2014;

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

Implementation of the City's Last, Best, and Final Offer with the following terms:

1. Employees pay the entire employee contribution toward CalPERS – 9%.
2. Elimination of furloughs.
3. Cap healthcare at 2014 dollar contribution.
4. Vacation and sick leave not counted as time worked for overtime calculations.
5. Fire department staffing according to ICMA recommendations, i.e. 2 two-person response companies.
6. Acting pay or temps for vacancies and first employee on OT goes home from 8 pm to 8 am.

The Director of Finance is hereby authorized to make the necessary budget adjustments to implement the provisions of this resolution.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 20th day of January 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
FOR EMPLOYER PAID MEMBER CONTRIBUTIONS WITH FIREFIGHTER'S
ASSOCIATION LOCAL 3793**

WHEREAS, the governing body of the City of Yuba City has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the City of Yuba City has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement 20691 is the adoption by the governing body of the City of Yuba City of a Resolution to commence said Employer Paid Member Contributions;

WHEREAS, the governing body of the City of Yuba City has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of Firefighters Association Local 3793.
- This benefit shall consist of paying 0% of the normal member contribution as EPMC.
- The effective date of this Resolution shall be January 24, 2015.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City elects to pay EPMC, as set forth above.

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 20th day of January 2015.

AYES;

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY

City Council Reports

- Councilmember Cleveland
- Councilmember Didbal
- Councilmember Gill
- Vice Mayor Buckland
- Mayor Dukes

Adjournment