



**\*\*AMENDED\*\***

**AGENDA**

**JULY 21, 2015**

**REGULAR MEETING**

**CITY COUNCIL**

**CITY OF YUBA CITY**

**5:00 P.M. – CLOSED SESSION: BUTTE ROOM**

**5:30 P.M. – RECEPTION: SUTTER ROOM**

**6:00 P.M. – REGULAR MEETING: COUNCIL CHAMBERS**

<b>MAYOR</b>	• John Dukes
<b>VICE MAYOR</b>	• John Buckland
<b>COUNCILMEMBER</b>	• Stanley Cleveland, Jr
<b>COUNCILMEMBER</b>	• Preet Didbal
<b>COUNCILMEMBER</b>	• Kash Gill
<b>CITY MANAGER</b>	• Steven Kroeger
<b>CITY ATTORNEY</b>	• 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 (AMENDED)  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF YUBA CITY  
COUNCIL CHAMBERS**

July 21, 2015

**5:00 P.M. – CLOSED SESSION**

**5:30 P.M. - MEET DEVELOPMENT SERVICES DIRECTOR**

**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](http://www.yubacity.net) subject to staff's availability to post the documents before the meeting.

**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](mailto:tlocke@yubacity.net) to allow for time for testimony.

**Closed Session—Butte Room**

- A. Confer with labor negotiators Steve Kroeger and Natalie Walter regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code.
- B. Confer with real property negotiators Steve Kroeger and Darin Gale pursuant to Government Code Section 54956.8 regarding negotiations regarding possible purchase of the following properties or portions thereof: APN 52-077-012 905 Bridge Street.

**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 & Proclamations**

- 1.     **Yuba City High school Baseball Team Section Champions**
- 2.     **Introduction of Development Services Director Arnoldo Rodriguez**

### **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.

#### **3. 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

#### **4. 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

### **Bid Opening**

#### **5. Yuba City Fire Station No. 2 Site Repairs & Improvements – Phase 2 (Award of Contract – total cost \$296,944)**

Recommendation: 1) Award Contract No. 15-07, Yuba City Fire Station No.2 Site Repairs/Improvements – Phase 2, to Hilbers, Inc. of Yuba City, CA in the amount of their bid of \$269,949 (plus 10% Contingency)  
2) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney

### **Ordinance**

#### **6. General Plan Amendment 14-03 and Rezone 14-02 for an approximately 1.21 acre lot; Applicant: Ryan Dusa; Property Owner: California Capital Loans Inc. The property is located on the east side of Stabler Lane between Parc East Drive and Butte Vista Lane. Assessor's Parcel Number 59-030-018**

Recommendation: Following the public hearing, concur with the Planning Commission's recommendations, which are to:

##### **A) Make the following findings:**

1. After reviewing and considering the negative declaration prepared for this project, find that the Mitigated Negative Declaration approved by the Planning Commission and any comments received, finding there is no substantial evidence that the project will have a significant impact on the environment.

2. That General Plan Amendment 14-03 to change the General Plan designation from Neighborhood Commercial to Low Density Residential on 1.21 acres is in the public interest.

3. That Rezoning 14-02 to change the zoning from a Neighborhood Commercial (NC) Zone District to a One-family Residential (R-1) Zone District is consistent with the

Low Density Residential land use designation as described in the Yuba City General Plan.

B) Adopt a resolution for GPA 14-03 amending the land use designation from Neighborhood Commercial to Low Density Residential on 1.21 acres, as shown on Exhibit A of the resolution.

C) Introduce an ordinance for approval of RZ 14-02 that amends the Official Zoning Map by changing the zoning from a Neighborhood Commercial Zone District to One-family Residential Zone District on 1.21 acres as shown in Exhibit B, 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

**7. Minutes of June 16, 2015**

Recommendation: Approve the City Council Meeting Minutes of June 16, 2015

**8. Designation of Voting Delegates for the League of California Cities Annual Conference September 2015**

Recommendation: Designate the Mayor to serve as the Voting Delegate for the 2015 League of California Cities Annual Conference in September

**9. Approving a Government Crime Insurance Policy for the Purpose of Bonding City Officers and Employees and Establishing Policy Limits**

Recommendation: Adopt a resolution approving that the Government Insurance Crime Policy satisfies GC §36518 and §1463, and establishes the coverage limit of said policy to \$1 million with a maximum deductible of \$10,000 per occurrence with the premiums paid by the City of Yuba City

**10. Authorization for Certain Positions to sign City Checks, Warrants, or Drafts**

Recommendation: Adopt a resolution designating certain City positions to be authorized signers for City checks, warrants, or drafts as per Sec. 3-3.03 of the Yuba City Municipal Code

### **General Items**

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

Recommendation: a. Adopt the following resolutions to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972:

- Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
- Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1
- Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6
- Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6

b. Set a Public Hearing for August 18 2015, at 6:00 pm to establish assessments for FY 15/16.

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

Recommendation: a. Adopt the following Resolutions to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:

- Resolution Directing Filing of Annual Report, Yuba City Residential Street Light Maintenance Districts
- Resolution of Intention to Order Improvements, Yuba City Residential Street Light Maintenance Districts

b. Set a Public Hearing for August 18, 2015, at 6:00 pm to establish assessments for FY 15/16

**13. Fiscal Year 2015-2016 Citywide Sole Source and Professional Services Purchases**

Recommendation: Approve citywide sole source and professional services purchases from July 1, 2015 through June 30, 2016, based on each purchase recommendation being in the best interest of the City

**14. Expanded Infill Development Impact Fee Program**

Recommendation: Adopt a resolution expanding the Infill Map, update the City's Infill Impact Fee Definition and expand the program to include all City AB 1600 Impact Fees excluding the Flood Control Fee

**Business from the City Council**

**15. City Council Reports**

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

**Adjournment**



**Yuba City High School  
Baseball Team Section  
Champions!!**

Welcome Yuba City's  
New  
Development  
Services Director  
Arnoldo Rodriguez



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](mailto: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:** July 21, 2015  
**To:** Honorable Mayor Dukes & Members of the City Council  
**From:** Fire Department  
**Presentation By:** Peter H. Daley, Fire Chief

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**Summary**

**Subject:** Yuba City Fire Station No. 2 Site Repairs & Improvements – Phase 2 (Award of Contract – total cost \$269,949)

**Recommendation:**

- 1) Award Contract No. 15-07, Yuba City Fire Station No.2 Site Repairs/Improvements – Phase 2, to Hilbers, Inc. of Yuba City, CA in the amount of their bid of \$269,949
- 2) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney

**Fiscal Impact:** \$269,949. Funding for this project is included in the Fire Department's current Capital Improvement Program budget

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**Purpose:**

To repair failed asphalt parking and driveway areas, remove accessibility barriers in advance of building repairs and expansion efforts at Yuba City Fire Station No. 2.

**Background:**

Yuba City Fire Station No. 2 is located at 1641 Gray Avenue, adjacent to April Lane School. The facility was built in 1978-79 long before regulations dealing with energy conservation requirements; Americans with Disabilities Act accessibility standards, etc. were mandated. The facility has not had any major repairs or upgrades for the past 35 plus years and does not meet our current security standards. The Yuba City Fire Department has been working on the repairs and upgrades of the subject facility to provide a better working and living arrangement for the personnel staffing the fire station. To date, a handicapped-accessible parking stall and accessibility route has been constructed, but additional work is needed. This project includes additional site improvements including relocation of the emergency generator and propane tank, removal of failed asphalt paving and base and replacement with concrete, site security improvements including lighting and fencing, relocation of utilities, etc.

**Analysis:**

The Yuba City Fire Station No.2 Site Improvements - Phase 2 Project was advertised for bid on June 18, 2015. Plans and specifications were provided to local builder/contractor exchanges and contractors. On June 30, 2015, 2 bids were received and opened in the City Clerk's office. A list of the bids received and the engineer's estimate are shown below:

Company Bid Amount:

Hilbers, Inc. of Yuba City, CA	\$269,949
Lamon Construction of Yuba City, CA	\$594,500
<b>Engineer's Estimate</b>	<b>\$270,000</b>

Based upon the bids received, Hilbers, Inc. of Yuba City, CA is the lowest qualified bidder.

**Fiscal Impact:**

\$269,949. Funding for this project is included in the Fire Department's current Capital Improvement Program budget.

**Alternatives:**

- a. Do not award the project and reject the bids.
- b. Delay or modify recommended action.

**Recommendation:**

Award the bid for the Yuba City Fire Station No.2 Site Repairs and Improvement Project Contract No. 15-07 to Hilbers, Inc. or Yuba City, CA in the amount of \$269,949 and authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.

**Prepared By:**

**Submitted By:**

\_\_\_\_\_  
Peter H. Daley  
Fire Chief

\_\_\_\_\_  
Steven C. Kroeger  
City Manager

Reviewed By:

Finance

\_\_\_\_\_

City Attorney

\_\_\_\_\_

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Administration  
**Presentation By:** Darin Gale, Economic Growth & Public Affairs

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**Summary**

**Subject:** General Plan Amendment 14-03 and Rezone 14-02 for an approximately 1.21 acre lot; Applicant: Ryan Dusa; Property Owner: California Capital Loans Inc. The property is located on the east side of Stabler Lane between Parc East Drive and Butte Vista Lane. Assessor's Parcel Number 59-030-018.

**Recommendation:** Following the public hearing, concur with the Planning Commission's recommendations, which are to:

A. Make the following findings:

1. After reviewing and considering the negative declaration prepared for this project, accept the Mitigated Negative Declaration approved by the Planning Commission and any comments received, finding there is no substantial evidence that the project will have a significant impact on the environment.
2. That General Plan Amendment 14-03 to change the General Plan designation from Neighborhood Commercial to Low Density Residential on 1.21 acres is in the public interest.
3. That Rezoning 14-02 to change the zoning from a Neighborhood Commercial (NC) Zone District to a One-family Residential (R-1) Zone District is consistent with the Low Density Residential land use designation as described in the Yuba City General Plan.

B. Adopt a resolution for GPA 14-03 amending the land use designation from Neighborhood Commercial to Low Density Residential on 1.21 acres, as shown on Exhibit A of the resolution.

C. Introduce an ordinance for approval of RZ 14-02 that amends the Official Zoning Map by changing the zoning from a Neighborhood Commercial Zone District to One-family Residential Zone District on 1.21 acres as shown in Exhibit B, and waive the first reading.

**Fiscal Impact:** Most or all of the costs for processing the applications are funded by the applicant's payment of the required flat rate fee.

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**Purpose:**

To consider the Planning Commission recommendation for the General Plan Amendment 14-03 and Rezone 14-02.

**Background:**

At the June 16<sup>th</sup> Council meeting the applicant for this project asked that the Public Hearing be continued. On June 16<sup>th</sup> the Council opened the public hearing and continued this item to the July 21, 2015 council meeting.

The property is located within the Buttes Vista Neighborhood Plan that was adopted by the City Council in 1999. The property was designated at that time as Neighborhood Commercial, with the intent that a small neighborhood retail facility (approximately 10-12,000 square feet) would be built to serve the local neighborhood and users of Regency Park across the street. In the 15 years since, little interest has been shown in developing the site for a commercial use(s), and the site remains vacant.

The applicant is proposing a general plan amendment and rezoning from Neighborhood Commercial to a Low Density Residential designation and compatible zoning in order to accommodate a request to subdivide the 1.21 acres into 6 single family residential lots.

The Planning Commission held two public hearings on the proposed project and, following testimony from several neighbors and making some revisions to the proposal, approved the tentative subdivision map and recommended to the City Council approval of the general plan amendment and rezoning. None of the neighbors or the applicant filed an appeal of the tentative subdivision. Copies of the Planning Commission staff reports are included as Attachment 1.

**Analysis:**

Detailed analysis of the project is contained in the Planning Commission staff reports that are attached. The neighbors were concerned that if the new homes were two story that their privacy would be compromised. There were also concerns about on-street parking on Stabler Lane and cars backing out of driveways onto Stabler Lane. Via amending the proposed conditions and adding new conditions, it is staff's opinion that these issues were resolved to the satisfaction of the neighbors and applicant (thus no appeal of the subdivision).

A Mitigated Negative Declaration for the project was adopted by the Planning Commission. The environmental review identified all potential adverse impacts associated with the project and were adequately mitigated, which are provided in the first several conditions of the subdivision's approval (Attachment 2).

**Alternatives:**

Deny the request for a general plan amendment and rezoning, which would also reverse the Planning Commission's approval of the subdivision. Condition #1 of the subdivision conditions of approval states that if the City Council does not approve the general plan amendment and rezoning, the subdivision map approval is voided.

**Recommendation:**

Concur with the Planning Commission's recommendations as described in the above recommendation section.

A. Make the following findings:

1. After reviewing and considering the negative declaration prepared for this project, accept the Mitigated Negative Declaration approved by the Planning Commission and any comments received, finding there is no substantial evidence that the project will have a significant impact on the environment.

2. That General Plan Amendment 14-03 to change the General Plan designation from Neighborhood Commercial to Low Density Residential on 1.21 acres is in the public interest.

3. That Rezoning 14-02 to change the zoning from a Neighborhood Commercial (NC) Zone District to a One-family Residential (R-1) Zone District is consistent with the Low Density Residential land use designation as described in the Yuba City General Plan.

B. Adopt a resolution for GPA 14-03 amending the land use designation from Neighborhood Commercial to Low Density Residential on 1.21 acres, as shown on Exhibit A of the resolution.

C. Introduce an ordinance for approval of RZ 14-02 that amends the Official Zoning Map by changing the zoning from a Neighborhood Commercial Zone District to One-family Residential Zone District on 1.21 acres as shown in Exhibit B, and waive the first reading.

**Attachments:**

1. Proposed Site Layout
2. Planning Commission Staff Reports
3. Initial Study
4. Resolution
5. Ordinance

Prepared By:

*/s/ Darin Gale*

Darin Gale  
Economic Growth & Public Affairs

Submitted By:

*/s/ Steven C. Kroeger*

Steven C. Kroeger  
City Manager

Reviewed By:

Finance

City Attorney

## Attachment 1: Site Layouts



corner of Parc East Dr and Stabler Lane

Rezone 14-02

Ryan Dusa/Regency View

1 inch = 80 feet

**APPLICANT**

RYAN DUJA  
855 HARTER PARKWAY  
YUBA CITY, CA 95993  
PHONE (530) 300-3144

**OWNER**

CALIFORNIA CAPITAL LOANS INC.  
P.O. BOX 4  
YUBA CITY, CA 95992  
PHONE (530) 674-1925

**ENGINEER**

MHM INCORPORATED (SEAN MINARD)  
1204 E STREET, P.O. BOX B  
MARYSVILLE, CA 95901  
PHONE (530) 742-6485

**GENERAL NOTES**

- WATER:**  
EXISTING: CITY OF YUBA CITY  
PROPOSED: CITY OF YUBA CITY
- SEWER:**  
EXISTING: CITY OF YUBA CITY  
PROPOSED: CITY OF YUBA CITY
- DRAINAGE:**  
EXISTING: CITY OF YUBA CITY  
PROPOSED: CITY OF YUBA CITY
- BUILDINGS:**  
EXISTING: NONE  
PROPOSED: SINGLE FAMILY RESIDENTIAL
- LAND USE:**  
EXISTING: VACANT LAND  
PROPOSED: SINGLE FAMILY RESIDENTIAL
- ZONING:**  
EXISTING: C-1SP  
PROPOSED: R-1
- GENERAL PLAN:**  
EXISTING: NEIGHBORHOOD COMMERCIAL  
PROPOSED: MEDIUM DENSITY RESIDENTIAL
- EXISTING APN(ACRES):**  
APN 59-030-018 (1.210 ACRES)
- UTILITIES:**  
ELECTRICITY IS PROVIDED BY PG&E  
GAS IS PROVIDED BY PG&E  
TELEPHONE IS PROVIDED BY SBC  
CABLE IS PROVIDED BY COMCAST
- LOT NUMBERS:**  
THE LOT NUMBERING SYSTEM IS PRESENTED FOR PLAN IDENTIFICATION AND SUBJECT TO REVISION WITH FILING OF FINAL MAP. DEVELOPER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS.
- LOT DIMENSIONS:**  
LOT AND BOUNDARY DIMENSIONS ARE APPROXIMATE AND SUBJECT TO REVISION WITH FILING OF FINAL MAP.
- OWNERS, SUBDIVIDER, AND ENGINEER TO RECEIVE ANY COMMUNICATION AND/OR NOTICES.**

**TENTATIVE MAP NO. SM 14-  
REGENCY VIEW**

**FOR RYAN DUJA**  
BEING A PORTION OF THE EAST HALF OF THE  
NORTHWEST ONE QUARTER OF SECTION 9, T14N, R3E,  
M.D.M.

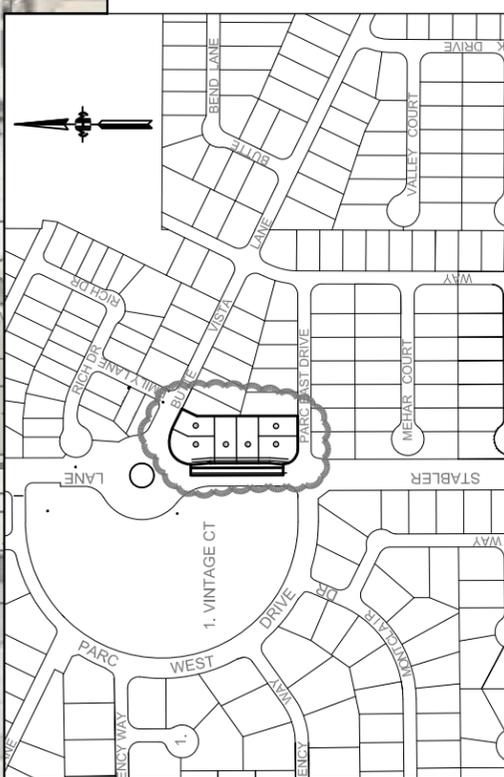
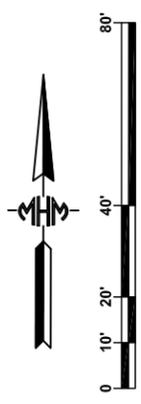
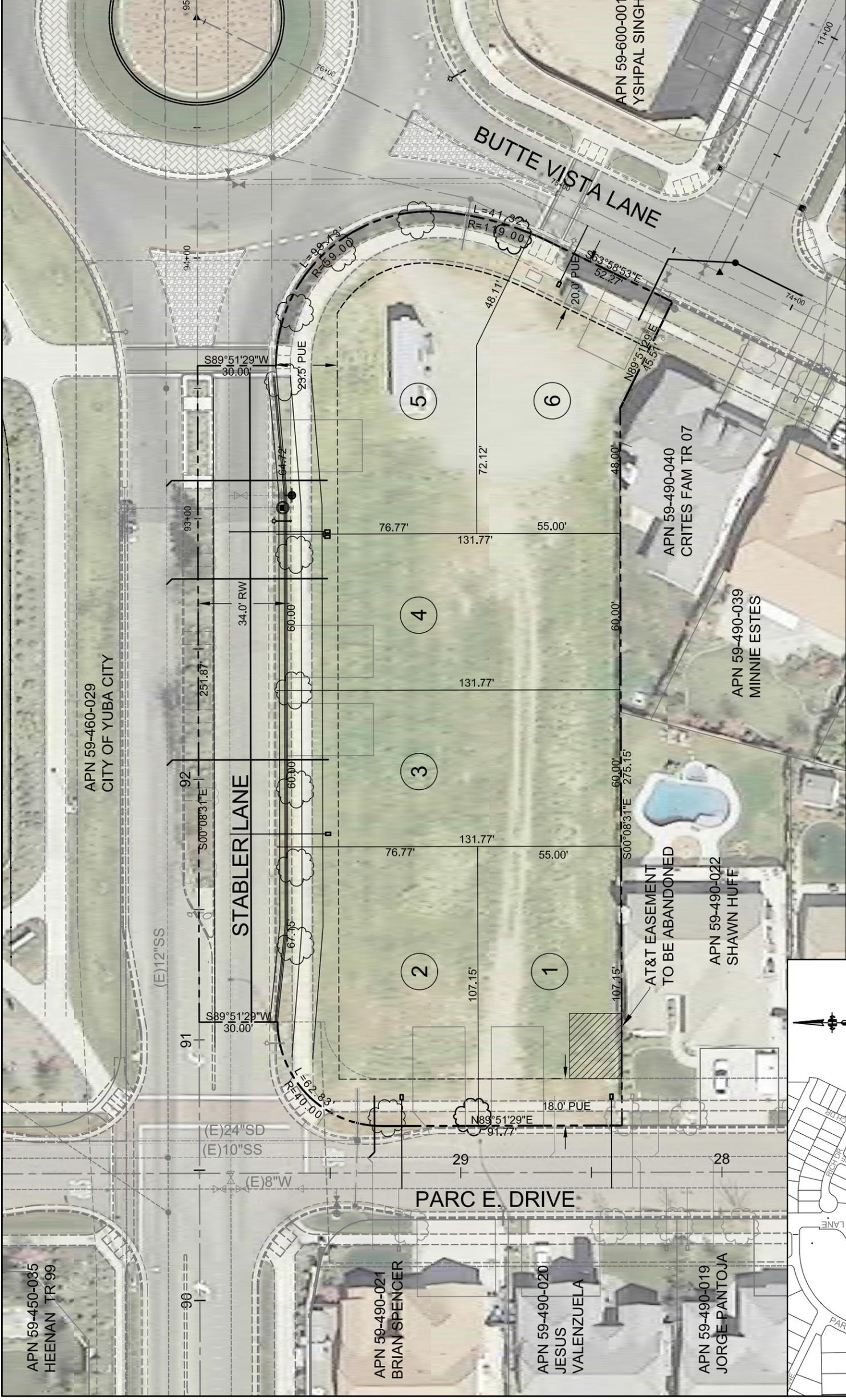
YUBA CITY  
CALIFORNIA

DECEMBER 2014  
SCALE 1"=40'

PREPARED BY: MHM INC.; 1204 E STREET; MARYSVILLE CA 95901

MHM JOB NO. 14143

SHEET 1 OF 1



**VICINITY MAP**  
SCALE 1"=500'

## Attachment 2: PC Staff Reports

PLANNING COMMISSION  
CITY OF YUBA CITY  
STAFF REPORT

**Date:** March 11, 2015  
**To:** Members of the Planning Commission  
**From:** Development Services Department  
**Presentation By:** Darin Gale, Director

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**PUBLIC HEARING:**

~~GENERAL PLAN~~ AMENDMENT 14-03, REZONING 14-02 AND TENTATIVE SUBDIVISION MAP 14-03, REGENCY VIEW SUBDIVISION. THE GENERAL PLAN AMENDMENT IS TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL TO LOW DENSITY RESIDENTIAL, THE REZONING PROPOSAL IS FROM A NEIGHBORHOOD COMMERCIAL (C-O) ZONE DISTRICT TO ONE-FAMILY RESIDENTIAL (R-1) ZONE DISTRICT, AND TO SUBDIVIDE THE 1.21 ACRE PARCEL INTO 6 LOTS; LOCATED ON THE EAST SIDE OF STABLER LANE BETWEEN PARC EAST DRIVE AND BUTTE VISTA LANE, JUST SOUTH OF THE STABLER LANE TRAFFIC CIRCLE. ASSESSOR'S PARCEL NO. 59-030-018. APPLICANT: RYAN DUSA, OWNER: CALIFORNIA CAPITAL LOANS INC.

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**Project Description:**

The applicant is proposing a general plan amendment and rezoning from Neighborhood Commercial to a Low Density Residential designation and compatible zoning in order to accommodate a request to subdivide the 1.21 acres into 6 single family residential lots. The property is vacant. The project would result in three residential driveways on Stabler Lane.

**Property Description:**

The property is located within the Buttes Vista Neighborhood Plan that was adopted by the City Council on 1999. The property was designated at that time as Neighborhood Commercial, with the intent that a small neighborhood retail facility (approximately 10-12,000 square feet) would be built to serve the local neighborhood and for users of Regency Park across the street. In the 15 years since, little interest has been shown in developing the site for a commercial use(s). The 1.21 vacant acres has its primary frontage on Stabler Lane; for which there is presently no on-street parking

**General Plan Designation:**

~~Existing: Neighborhood Commercial.~~  
Proposed: Low Density Residential.

**Zoning Classification:**

~~Existing: Neighborhood Commercial (C-1) Zone District.~~  
Proposed: One-Family Residential (R-1) Zone District.

### **Surrounding Uses:**

Single-family residential uses border the property on three sides – to the north, south and east. To the west is Stabler Lane, which is designated in the General Plan as a two-lane minor arterial, and Regency Park is located across Stable Lane from this site.

### **Previous Commission Actions and/or Policies:**

There have been no recent actions by the Planning Commission regarding this property. The Planning Commission conducted hearings on the Buttes Vista Neighborhood Plan in March 1999. The neighboring subdivisions were approved by the Planning Commission soon thereafter.

### **Environmental:**

A Mitigated Negative Declaration (Exhibit A) was prepared for the project and is attached for the Commission's review and consideration. The finding of the negative declaration is that, with mitigations, the proposed six lot subdivision will not create any significant impacts to the neighborhood or vicinity.

### **Staff Comments:**

#### **General Plan consistency**

The existing general plan designation is Neighborhood Commercial, for which the proposed residential subdivision would not be permitted. However, this application includes a proposed general plan amendment to Low Density Residential, for which the project would be consistent.

#### **Compatibility with surrounding uses**

There should be no land use compatibility issues associated with the proposed subdivision as the proposed single-family residences, are similar to the neighboring single-family residential uses, including similarly sized lots. However, the neighboring residences are single story. New two story residences could cause concern to those neighboring single story residences. To address this a mitigation is included limiting the location of upper floor windows of any two story residences towards the existing residences.

#### **Aesthetics**

The residences that will be built on these lots will be very visible due to their frontage on Stabler Lane. It is important that the properties and residences are in keeping with the neighborhood. A mitigation is included that requires the new residences to be built to the quality of the neighboring residences or better.

Stabler Lane is a tree-line street in this area. With this subdivision the landscape strips along Stabler Lane will now have driveways in them, reducing the amount of landscaping that would otherwise face Stabler Lane. A condition is included limiting the width of those driveways to what a two garage driveway would typically be in order to minimize the cement frontage onto Stabler Lane.

#### **Access**

There are some issues associated with placing single-family residences at this location. Three driveways will be located on Stabler Lane, which is designated in the General Plan as a minor collector. Due to the narrowness of Stabler Lane in this area, vehicles backing out onto Stabler Lane will back directly into the path of traffic. Further, those lots would also not have on-street parking available to them.

The Public Works Department has reviewed these items. Ideally residential driveways are placed only on local streets, since backing onto a minor collector or arterial streets is typically minimized for safety reasons and for the impact it can cause on the flow of traffic. However, due to the 25 mile an hour speed limit and good site distance at this location, while not an ideal situation, some modifications can be made to make it acceptable in this case. To make this an acceptable situation, a mitigation measure is included that requires Stabler Lane to be widened to allow on-street parking. This is expected to be a three to five foot widening. In addition to providing for on-street parking, it allows vehicles backing out onto Stabler Lane more maneuvering space, reducing the safety concerns and lessening the impact on traffic flows.

### **Availability of City Services**

All City services are available to this site.

### **Recommended Action:**

Staff recommends that the Planning Commission take the following actions:

- A. Adopt the following findings:
  1. **Environmental:** After reviewing and considering the mitigated negative declaration prepared for this project (Exhibit A), with the proposed mitigations, this subdivision will not create any significant environmental impacts.
  2. **General Plan Consistency:** Re-designating the property from Neighborhood Commercial to Low Density Residential, allowing for single-family residential uses, will make this property more compatible with neighboring single-family uses as compared to the existing commercial designation.
  3. **Subdivision Findings for Denial:** None of the findings in Section 66474 of the Subdivision Map Act can be made which, if any of the findings could be made, would require denial of the tentative subdivision map application. These findings include the project being consistent with the general plan, that the site is suitable for the proposed development, the site is suitable for the density of the development, that there is not significant environmental damage as a result of the project, the development will not cause health problems and that the development will not conflict with any easements.
- B. Adopt the mitigated negative declaration, attached as Exhibit A.
- C. Recommend to the City Council approval of General Plan Amendment 14-03 and Rezoning 14-02.
- D. Approve Tentative Subdivision Map 14-05, subject to the conditions below; pending approval by the City Council of the general plan amendment and rezoning. (If the Council does not approve the GPA and rezoning the Planning Commission's decision on the tentative subdivision map is voided.

### **Attachments:**

1. Aerial photo

### **Exhibits:**

- A. Mitigated Negative Declaration (Copy not included, but available upon request)
- B. Tentative Subdivision Map

**PLANNING COMMISSION  
CITY OF YUBA CITY  
STAFF REPORT**

**Date:** May 13, 2015  
**To:** Members of the Planning Commission  
**From:** Development Services Department  
**Presentation By:** Darin Gale, Director

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**PUBLIC HEARING (Continued from the March 11 meeting): GENERAL PLAN AMENDMENT 14-03, REZONING 14-02 AND TENTATIVE SUBDIVISION MAP 14-03, REGENCY VIEW SUBDIVISION. THE GENERAL PLAN AMENDMENT IS TO CHANGE THE LAND USE DESIGNATION FROM NIEGHBORHOOD COMMERCIAL TO LOW DENSITY RESIDENTIAL, THE REZONING PROPOSAL IS FROM A NEIGHBORHOOD COMMERCIAL (C-O) ZONE DISTRICT TO ONE-FAMILY RESIDENTIAL (R-1) ZONE DISTRICT, AND TO SUBDIVIDE THE 1.21 ACRE PARCEL INTO 6 LOTS; LOCATED ON THE EAST SIDE OF STABLER LANE BETWEEN PARC EAST DRIVE AND BUTTE VISTA LANE, JUST SOUTH OF THE STABLER LANE TRAFFIC CIRCLE. ASSESSOR'S PARCEL NO. 59-030-018. APPLICANT: RYAN DUSA, OWNER: CALIFORNIA CAPITAL LOANS INC.**

**Background**

The public hearing was continued from the March 11 hearing to allow time for staff and the applicant to meet to resolve two concerns:

1. The concern over vehicles from proposed Lots 3, 4 and 5 backing out directly onto Stabler Lane. These vehicles could interfere with the flow of traffic on a street that is designated as a minor arterial in the General Plan. There is a potential safety issue with vehicles backing out of the driveway directly into traffic.
2. The proposed Condition #2 of the original staff report limited two story residences to not have upper floor windows facing the existing residences to the east of this subdivision. Neighbors were concerned that this would not be enough of a limitation to protect their privacy.

**Staff Comments:**

**Vehicles backing onto Stabler Lane:**

Three of the proposed driveways will be located on Stabler Lane, which is designated in the General Plan as a minor collector. Stabler Lane in this area is fairly narrow. Even though the

conditions require it to be widened by several feet, vehicles backing out onto Stabler Lane could still back directly into the path of traffic. The reduced visibility associated with backing out onto Stabler Lane caused some safety concerns.

While this is not a significant concern, it can be further mitigated without major changes to the proposed project. This is accomplished by constructing garages that face sideways on the lot, and providing adequate driveway width in the garage back-out area for an exiting vehicle to turn around prior to exiting the property. The vehicles then would be exiting the driveway facing forward, versus backing out, increasing visibility as the vehicle pulls onto Stabler Lane. A sample site plan is attached indicating how this will function. A new condition is included that would require this:

Garages for Lots 3, 4 and 5 shall be side facing and shall provide adequate driveway width to allow vehicles exiting the property to turn around and exit the driveway facing forward.

This does not require the users of the driveways to turn around, as that would be unenforceable. But by allowing for that, it is expected that many of the users would turn around as it then becomes easier and safer to enter Stabler Lane. Therefore the issue is not completely eliminated, but the concern is minimized.

Another unintended benefit of this condition is that it would reduce the “garage look” along this portion of Stabler Lane, thus improving the aesthetics along the street.

### **Two story residences:**

While the original proposed condition would have minimized the impact of a new upper story window overlooking an existing neighbors rear yard, it would not completely eliminate the possibility. A revised condition could still allow some upper story construction, but would eliminate the possibility of upper story views onto neighboring rear yards. The following proposed revised Condition #2 would prohibit viewing of neighbor’s yards from upper story windows:

2. All second story construction for any lot within Regency View Subdivision shall meet the following criteria:
  - Windows on upper floors may only face the front of the lot, facing the street frontage.
  - The eve line at the rear of any of the homes shall be at a maximum height such that the residence appears to be single story, as viewed from the rear of the home.
  - There shall be no rear yard upper floor balconies or decks attached to a residence.

This compromise condition is suggested, versus a prohibition on second stories, since the existing neighbors could at any time add a second story to their home.

### **Recommended Action:**

Staff recommends that the Planning Commission take the following actions:

- A. Adopt the following findings:

1. **Environmental:** After reviewing and considering the mitigated negative declaration prepared for this project (Exhibit A), with the proposed mitigations, this subdivision will not create any significant environmental impacts.
  2. **General Plan and Zoning:** Re-designating the property from Neighborhood Commercial to Low Density Residential, and similarly amending the zoning, thereby allowing for single-family residential uses instead of commercial uses, will make this property more compatible with the neighboring single-family uses.
  3. **Subdivision Findings for Denial:** None of the findings in Section 66474 of the Subdivision Map Act can be made which, if any of the findings could be made, would require denial of the tentative subdivision map application. These findings include the project being consistent with the general plan, that the site is suitable for the proposed development, the site is suitable for the density of the development, that there is not significant environmental damage as a result of the project, the development will not cause health problems and that the development will not conflict with any easements.
- B. Adopt the mitigated negative declaration, attached as Exhibit A.
  - C. Recommend to the City Council approval of General Plan Amendment 14-03 and Rezoning 14-02.
  - D. Approve Tentative Subdivision Map 14-05, subject to the conditions below; pending approval by the City Council of the general plan amendment and rezoning. (If the Council does not approve the GPA and rezoning the Planning Commission's decision on the tentative subdivision map is voided).

**Attachments:**

1. Aerial photo

**Exhibits:**

- A. Mitigated Negative Declaration (revised)
- B. Tentative Subdivision Map
- C. Original staff report

# SM 14-03 REGENCY VIEW SUBDIVISION

## CONDITIONS OF APPROVAL

### Planning Division

1. Tentative Subdivision Map 14-02 is to divide a 1.21 acre parcel into 6 residential lots. If the Yuba City City Council does not approve GPA 14-03 and Rezoning 14-02, the Planning Commission's approval of SM 14-03 is voided.
2. Any second story construction for any lot within Regency Park Subdivision shall meet the following criteria:
  - Windows on upper floors may only face the front of the lot, facing the street frontage.
  - The eaves of the rear of any of the homes shall be at a maximum height that the residence appears to be single story as viewed from the rear of the home.
  - There shall be no rear yard upper floor balconies or decks attached to the home.

*(Mitigation Measure)*

3. Each of the six residences shall be of equal or better exterior design quality than the existing residences in the neighborhood. An exterior elevation shall be used no more than twice and shall not be the same for adjoining properties. Prior to issuing a building permit for each residence the Community Development Director shall review and approve the building elevations for conformance with this condition. *(Mitigation Measure)*
4. Driveways backing onto Stabler Lane shall not exceed 20 feet in width between the curb and back of sidewalk. *(Mitigation Measure)*
5. Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports, which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted *(Mitigating Measure)*.

### Engineering Division

6. The developer shall widen Stabler Lane in order to allow on-street parking. The widening shall include dedication of additional right-of-way, as needed, moving the PUE, as needed, re-location of the curb, gutter and sidewalk and provision of additional paving on Stabler Lane.. This is expected to be 3 feet to 5 feet in additional width, as determined by the Public Works Department. *(Mitigation Measure)*.
7. Garages for Lots 3, 4 and 5 shall be side facing and shall provide adequate driveway width to allow vehicles exiting the property to turn around and exit the driveway facing

forward (*Mitigation Measure*).

8. The Developer shall prepare and submit improvement plans for the construction of the proposed development.
9. All design and construction shall conform to the latest edition of the City of Yuba City Standard Specifications and Details, State of California Standard Specifications for Construction of Local Streets and Roads (2010), AASHTO Policy on Geometric Design of Streets and Highways for local roads, and FHWA Manual on Uniform Traffic Control Devices for Streets and Highways (May 2012).
10. Traffic control construction signs shall be installed/erected per City of Yuba City Standards and Details, CalTrans Standards and Details, and the Manual of Uniform Traffic Control Devices. The signs shall be maintained throughout the project duration.
11. All grading operations on the project shall be suspended as directed by the Feather River Air Quality Management District when sustained winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures. An operational water truck shall be onsite at all times to assist in dust control.
12. Onsite dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizer employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizer according to manufacturers' specifications to all inactive construction areas. Contractor to provide the specifications to the City Inspector.
13. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
14. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department. Water conservation is a priority for the City, and therefore the Public Works Department recommends that the contractor monitor obtain water from alternate sources (e.g. agricultural wells) when available.
15. Temporary silt fencing shall be erected during construction and permanent fencing shall be completed prior to occupancy so that transport of construction debris can be retained on-site.
16. Open burning is a source of fugitive gas and particulate emissions, which shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) shall be conducted at the project site. Vegetative wastes should be chipped or delivered to waste facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.
17. To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved street from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate

at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out

18. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site
19. Provide temporary traffic control as needed, and as deemed appropriate by the Public Works Department, during all phases of construction to improve traffic flow and to reduce vehicle dust emissions. Effective measures are to enforce vehicle traffic speeds at or below 15 mph and to reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
20. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
21. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work.
22. The Developer, at his expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to insure compliance.
23. The Developer's Superintendent/Representative shall be onsite when contractor is working and be available to the City's Inspector(s) assigned to the project. The Developer shall be responsible for making sure that the contractor is working from signed improvement plans, signed special provisions, signed storm water pollution prevention plan, and the approved project agreement conditions.
24. The Developer's Superintendent/Representative shall ensure that all private vehicles be either parked off-site or outside of construction areas. All vehicles, construction equipment, and construction material related to the project shall be organized in such a manner to provide emergency vehicle access to the entire project. No parking shall be allowed on Stabler Lane.
25. Sidewalks, within and adjacent to the construction area, shall be kept clean and remain accessible for American Disability Act compliance.
26. Storage of construction material is not allowed in the travel way.

### **Building Division**

27. There shall be no hard surfaces in the street planter area other than the standard driveways as shown and approved on the Improvement Plans.

## **Prior to Issuance of Grading Permit**

### **Engineering Division**

28. Provide evidence that a Notice of Intent has been submitted and received by the local Water Quality Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan shall be provided to the City.
29. Project shall comply with the City's Stormwater Management and Discharge Control Ordinance.
30. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flow onto the adjacent residential lands or impede the drainage from those properties. If retaining walls are required they shall be constructed of concrete or masonry block.
31. Existing and proposed grade elevations at perimeter of the proposed land development shall be shown on the tentative map per Section 8-2.604 of the Municipal Code. The Engineer of Record shall designate on the plans as to where any retaining walls are required and provide details of all proposed retaining walls. The retaining wall is required where grade differences between the proposed development and the surrounding land is greater than 6" (inches). The use of any type of wood as the retaining wall is not permitted.
32. Per Government Code Section 66490, the applicant shall submit, with the first improvement plan check, to the City for review and approval, a detailed geotechnical investigation prepared by a Civil Engineer registered in the State of California and qualified to perform geotechnical work. The grading plan shall incorporate the recommendations of the approved geotechnical investigation.
33. The lots that are created by this subdivision that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department.

## **Prior to Approval of Improvement Plans**

### **Engineering Division**

34. A Subdivision Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to approval of plans.
35. Obtain all necessary approvals from City, State, and Federal agencies, utilities and other effected parties that are required for the project including, but not limited to, the preparation of drawings, studies, reports and permit applications, and payment of fees. Prior to City approval of improvement plans the Developer shall provide evidence, to the satisfaction of the Public Works Department, that all such obligations have been met.

36. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
37. Where an excavation for a trench and/or structure is 5 feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department.
38. Improvement plans shall be approved by the Yuba City Fire Department.
39. All service laterals (water, sewer, irrigation), along with required meters, are to be shown on the civil improvement plans.
40. The landscape service line(s) shall have reduced pressure backflow preventers.
41. A streetlight shall be installed on Stabler Lane at Lot 5 (as shown on the tentative map dated December, 2014) near the existing fire hydrant and dedicated to the City.
42. All ADA access ramps along frontage of property shall be modified as required to meet current standards.
43. The Developer shall be responsible for preparation of a street tree and irrigation plan that is deemed acceptable by the Director of Parks and Recreation prior to entering into a Subdivision Agreement with the City.
44. The street landscape planters, the street trees, and street lighting are public improvements which shall meet the Parks Division Planting Standards and Yuba City Standard Details and be included in the improvement plans and specifications for the subdivision when the improvement plans are submitted for the first improvement plan check.
45. The street trees provided by the Developer shall be a minimum of 15 gallon in size with a one-inch dbh (diameter at breast height). The tree specie(s) shall be of the type and location as shown on the Butte Vista Estates Unit No. 2 improvement plans (City drawing no. 4406-D) which were approved by the City on May 1, 2001.
46. Landscaping (bushes, ground cover) in the landscape planters (along the streets) shall be drought tolerant. All trees, bushes, and ground cover shall be approved by the Parks Department and the Public Works Department.
47. The final improvement plans shall reflect street tree placement so that no interference with streets, streetlights, fire hydrants, traffic control signage, and driveways will occur to the satisfaction of the Public Works Department.
48. The Improvement Plans shall show provisions for the placement of centralized mail delivery units in the Public Utility Easement (P.U.E.). Developers will provide a concrete base for placement of the centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba City Public Works Department, with due consideration for street light location, traffic safety, security and consumer convenience.
49. Provide the City with confirmation that the proposed driveway on Lot 6 (as shown on the tentative map dated December 2014) is acceptable to the utility company's existing utility vault. A heavy-duty lid shall be provided, and adjusted to grade, at the existing utility vault.

50. Required Improvement Plan Notes:

- a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
- b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
- c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
- d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the CalTrans "Manual of Traffic Safety Controls for Construction and Maintenance Work Zones." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
- e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

## **Prior to Acceptance of Public Improvements**

### **Engineering Division**

51. At the Public Works Department's discretion, the storm sewer and sewer mains shall be re-hydroflushed.
52. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (AutoCad version 2007 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.

## **Prior to Final Map Recordation**

### **Engineering Division**

53. The development shall pay for ongoing street maintenance costs. This condition may be satisfied through participation in a Mello Roos CFD, by payment of cash in an amount

agreed to by the City, by another secure funding mechanism acceptable to the City, or by some combination of those mechanisms. The City shall be reimbursed actual costs associated with the formation of the district.

54. The development shall pay for operations and/or maintenance for police, fire, parks and drainage. This condition may be satisfied through participation in a Mello Roos CFD, by payment of cash in an amount agreed to by the City, by another secure funding mechanism acceptable to the City, or by some combination of those mechanisms. The City shall be reimbursed actual costs associated with the formation of the district.
55. The property shall petition for formation of a Zone of Benefit of the Yuba City Landscaping and Lighting Maintenance District for the purpose of maintaining street trees which are to be planted along all streets, maintaining the street lights, and maintaining the applicable masonry walls. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.
56. All street lighting shall be dedicated to the City of Yuba City.
57. Right of way on Stabler Lane shall be dedicated to the City, a width of 30.0 feet from centerline to 6" behind the back of curb.
58. An approved public utility easement shall be provided along Stabler Lane.
59. A public utility easement shall be provided along Butte Vista Lane extending 20.0 feet from 6" behind the back of curb and along Parc East Drive extending 18.0 feet from 6" behind the back of curb.
60. The Developer shall reimburse Cresleigh Homes Corporation for the parcel's fair proportionate share of the construction of the roundabout at the intersection of Stabler Lane and Butte Vista Lane, as such roundabout is shown on Drawing No's. 4978-D and 5044-D and approved by the City Engineer. The amount to be reimbursed is \$9,100.00 as shown on City Resolution No. 07-120.
61. The Developer shall pay appropriate drainage fees per the North Yuba City Drainage Area Master Plan.
62. The AT&T easement at the southeast corner of Lot 1 (as shown on the tentative map dated December 2014) shall be abandoned.

### **Prior to Building Permit**

#### **Building Division**

63. A building pad certificate from a licensed engineer as well as a lot grading certificate from a licensed engineer and/or surveyor shall be provided to the City.

### **Prior to Certificate of Occupancy**

#### **Engineering Division**

64. Each lot shall be landscaped between the residence and the curb prior to occupancy. If it is deemed impractical, by the Public Works Department, to have the landscaping

completed prior to occupancy, the Builder/Developer shall provide security for the value of the landscaping and commit to a water quality control plan to prevent the input of pollutants from the lot to the urban drainage system as approved by the Public Works Department.

65. The curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk that is damaged before or during construction shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.
66. All reduced pressure backflow preventers shall be tested and a back flow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.
67. Prior to the certificate of occupancy being approved for the last unit in the development the streets shall be Type II slurry sealed the full width as follows:
  - a. Stabler Lane: north of the north crosswalk stripe at Parc East Drive to south of the south crosswalk stripe south of the round-a-bout.
  - b. Parc East Drive: east of the new stamped sidewalk to the east end of the property.
  - c. Butte Vista Lane: east of the east crosswalk stripe on Butte Vista Lane to station 73+50.00 (as shown on the tentative map dated December 2014).
68. Prior to the certificate of occupancy being approved for the last unit in the development any pavement marking and/or striping that was destroyed during construction shall be re-striped to meet City Standards.

#### **Building Division**

69. Prior to issuance of any certificate of occupancy, all underground utilities, public improvements, and site improvements, shall be completed.

## Attachment 3: Initial Study



City of Yuba City  
Development Services  
Planning Division

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1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

**EA 14-10**  
**Initial Study and Mitigated Negative Declaration for**  
**GPA 14-03, RZ 14-02, SM 14-03, Regency View Tentative Subdivision Map**

Prepared for:

Yuba City Planning Commission  
1201 Civic Center Blvd.  
Yuba City, CA 95993

Prepared By:

City of Yuba City  
Community Development  
Planning Division  
1201 Civic Center Blvd.  
Yuba City, CA 95993

February, 2015



City of Yuba City  
Development Services  
Planning Division

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1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

## Introduction

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This Initial Study has been prepared to identify and assess any anticipated environmental impacts resulting from the proposed general plan amendment and rezoning from neighborhood commercial to low density residential and subdivision of a 1.21 acre parcel into 6 single-family residential lots. The property, identified as Assessor's Parcel Number 59-030-018, is located on the east side of Stabler Lane between Parc West Drive and Butte Vista Lane.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Pub. Res. Code, Section 21000 *et seq.*) and the State CEQA Guidelines (Title 14 CCR §15000 *et seq.*). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The initial study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a negative declaration shall be prepared. If in the course of the analysis, it is recognized that the project may have a significant impact on the environment, but that with specific recommended mitigation measures, these impacts shall be reduced to less than significant, a mitigated negative declaration shall be prepared.

In reviewing the site specific information provided for the above referenced project, the City of Yuba City Planning Division has analyzed the potential environmental impacts created by this project and a **mitigated negative declaration** has been prepared for this project.



City of Yuba City  
Development Services  
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

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Notice of Declaration

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**1. PROJECT TITLE:**

GPA 14-03, RZ 14-02, SM 14-03: Regency View Subdivision

**2. LEAD AGENCY NAME & ADDRESS:**

City of Yuba City  
Community Development, Planning Division  
1201 Civic Center Blvd.  
Yuba City, CA 95993

**3. CONTACT PERSON & PHONE NUMBER:**

Darin Gale, Interim Community Development Director  
(530) 822-4762  
dgale@yubacity.net

**4. PROJECT LOCATION:**

The proposed project is located on 1.21 acres on the east side of Stabler Lane between Parc West Drive and Butte Vista Lane.

**5. ASSESSORS PARCEL NUMBER:**

The subject property is identified as Assessor's Parcel Number 59-030-018.

**6 PROJECT APPLICANT:**

Ryan Dusa  
855 Harter Parkway  
Yuba City, CA 95993

**7. PROPERTY OWNER:**

California Capital Loans  
P.O. Box 4  
Yuba City, CA 95992

**8. GENERAL PLAN DESIGNATION:**

Neighborhood Commercial

**9. ZONE DISTRICT:**

Neighborhood Commercial (C-1) Zone District

**10. PROJECT DESCRIPTION:**

There are three parts to this proposal:

1. A general plan amendment to re-designate this 1.21 acres from Neighborhood Commercial to Low Density Residential in order to accommodate the proposed subdivision;
2. A rezoning from a Neighborhood Commercial (C-1) Zone District to a One-Family Residential (R-1) Zone District, to match the proposed general plan designation; and
3. A proposal to subdivide the 1.21 acre parcel into 6 lots, each intended to be developed with a single-family residence. The lots range in size from 5,500 square feet to 8,100 square feet. The site is vacant.

All of the streets bordering this project are completed with curb, gutter and sidewalk and all City services are available in the streets fronting the proposed lots.

**11. SURROUNDING LAND USES & SETTING:**

Existing single-family residences are located to the north, south and east. Those neighboring lots are similarly sized to the proposed lots. Regency Park, which is a neighborhood park, is located to the west across Stabler Lane. A traffic circle, located just north of the property, influences access to the site.

**12. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g. permits, financing approval, or participation agreement):**

Feather River Air Quality Maintenance District (FRAQMD)



City of Yuba City  
Development Services  
Planning Division

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1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

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## Environmental Factors Potentially Affected

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The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

Aesthetics	Greenhouse Gases	Population/Housing
Agricultural Resources	Hazards and Hazardous Materials	Public Services
Air Quality	Hydrology/Water Quality	Recreation
Biological Resources	Land Use/Planning	X Transportation/Traffic
X Cultural Resources	Mineral Resources	Utilities and Service Systems
Geology/Soils	Noise	Mandatory Findings of Significance



City of Yuba City  
Development Services  
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

### Determination

On the basis of this initial evaluation:

I find that the proposed project Could Not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- ✓ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Written comments may be submitted to the Planning Division prior to the Planning Commission hearing, or at the Planning Commission hearing prior to the close of the public hearing.

Submit comments to:

Community Development  
Planning Division  
1201 Civic Center Blvd.  
Yuba City, CA 95993

Initial Study Prepared by:

\_\_\_\_\_  
Denis Cook, Planning Consultant  
to Yuba City.

The public hearing for this item is scheduled for March 11, 2015, at 6:30 P.M. before the Planning Commission and will be held in the City Council Chambers located at 1201 Civic Center Blvd., Yuba City, California.

### **Evaluation of Environmental Impacts:**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where

the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

## Environmental Impacts and Discussion:

The following section presents the initial study checklist recommended by the California Environmental Quality Act (CEQA) to determine potential impacts of a project. Explanations of all answers are provided following each question and mitigation is recommended, as necessary.

### I. AESTHETICS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

### Response to Questions:

a,c) There are no officially designated scenic vistas in Yuba City; the project would therefore have no adverse effect on an official scenic vista. However, the new construction could block partial views of the Sutter Buttes from neighboring residences. Since this is not a scenic corridor, and placing new single-family residences of similar height next to the existing residences is not unexpected in residential areas, the impact is considered less than significant.

There is the potential for aesthetic impacts on the neighboring properties if the residences that are proposed for the new lots that will adjoin the existing residences are not compatible with those existing residences. The neighboring existing residences are single story and a new two story residence next to these residences could adversely impact the privacy of the existing residences, as compared to what they are use too. Further, if a new residence is of a lesser exterior design standard as compared to the existing residences, this could create aesthetic issues. To mitigate these potential impacts to less than significant, the following mitigations are proposed.

***Any second story construction for any lot within Regency Park Subdivision shall meet the following criteria:***

- ***Windows on upper floors may only face the front of the lot, facing the street frontage.***
- ***The rear of any of the homes shall be at a maximum height that the residence***

*appears to be single story as viewed from the rear of the home.*

- *There shall be no upper flow balconies or decks.*

*Each of the six residences shall be of equal or better exterior design quality than the existing residences in the neighborhood. An exterior elevation shall be used no more than twice and shall not be the same for adjoining properties. Prior to issuing a building permit for each residence the Community Development Director shall review and approve the building elevations for conformance with this mitigation.*

While not a significant impact, there could also be some aesthetic degradation for Stabler lane, as it is tree lined in this area, and the addition of wide driveways will reduce the number of trees lining Stabler lane. To reduce this impact even further, the following mitigation measure is proposed.

*Driveways backing onto Stabler Lane shall not exceed 20 feet in width between the curb and back of sidewalk.*

- b) The 1.21 acre project site is vacant. The transformation from vacant land to the single-family residences that will result from this subdivision is considered to be a substantial and permanent change in the existing visual character of the site. However, the site is a flat vacant field with no unusual characteristics and the new residences will be similar in character and impact as the existing neighboring residences. Therefore the change is not viewed as a substantial degradation of the existing visual character or quality of the site and its surroundings.
  
- d) The proposed subdivision already has full street improvements, including street lighting. So no new lighting will occur, except for typical outdoor lighting associated with each residence, which is not considered significant.

**II. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-			<b>X</b>	

agricultural use?				
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

**Response to Questions:**

a) The property is located on land that has a soil quality that could support agricultural uses. However, the site is well within the boundaries of the urban area, surrounded by non-agricultural uses, and the property (about 1.2 acres) is of to small a size to be economically farmed. Further, the City and Sutter County General Plans identify this area for urban development, as compared to the vast majority of Sutter County for which agricultural land is protected from urban growth. Therefore, this subdivision, and resulting development of this property will not create a significant impact regarding the loss of agricultural land.

b-c) The property is currently zoned for non-agricultural development; it is not zoned for agricultural uses nor is it under a Williamson Act contract. This is an urban infill project so no agricultural lands are near this property. Therefore this project will not result in the conversion of other agricultural properties to non-agricultural uses.

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project?	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

**Response to Questions:**

- a-d) The State of California and the federal government have established ambient air quality standards for numerous pollutants, which are referred to as Criteria Pollutants. These standards are categorized as primary standards, designed to safeguard public health, or as secondary standards, intended to protect crops and to mitigate such effects as visibility reduction, soiling, nuisance, and other forms of damage. Air quality is also regulated through emissions limits for individual sources of criteria pollutants, i.e., ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), suspended particulate matter (PM-10 and PM-2.5), and lead (Pb).

Pursuant to the California Clean Air Act of 1998, California has adopted air quality standards for the criteria air pollutants that are generally more stringent than the federal standards, particularly for ozone and PM-10 (particulate matter, less than 10 microns in diameter). Also, the State has adopted ambient air quality standards for some pollutants for which there are no corresponding national standards.

Under the California Clean Air Act and amendments to the Federal Clean Air Act, the United States Environmental Protection Agency (EPA) and the State Air Resources Board are required to classify Air Basins, or portions thereof, as either “attainment” or “non-attainment” for each criteria air pollutant, based on whether or not the national and state standards have been met. Yuba City is located in the Northern Sacramento Valley Air Basin (NSVAB). The NSVAB consists of the northern half of the Central Valley. Air quality monitoring has been conducted in the NSVAB for the last fifteen years and the monitoring results have shown that the principal pollutants of the NSVAB, including Yuba City, are ozone and particulate matter.

The Feather River Air Quality Management District (FRAQMD) was created in 1991 to administer local, state, and federal air quality management programs for Yuba and Sutter Counties. They reviewed this project and determined that due to its small size it does not trigger any specific air quality concerns. However, in order to reduce any possible impacts even further, the FRAQMD requires through its permitting process, the following conditions that are required to be met, which reduces the impacts to a less than significant level:

### ***Construction Phase Requirements***

- 1. Implement a Fugitive Dust Control Plan that will, at a minimum, include the following elements:***

***All grading operations on the project shall be suspended as directed by the Feather River Air Quality Management District when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures. An operational water truck shall be onsite at all times to assist in dust control.***

***Onsite dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizer employed to reduce wind blown dust***

*emissions. Incorporate the use of approved non-toxic soil stabilizer according to manufacturers' specifications to all inactive construction areas. Contractor to provide the specifications to the City Inspector.*

*To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project as directed by the Public Works Department or FRAQMD and as necessary to prevent fugitive dust violations.*

*An operational water truck should be onsite at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.*

*All transfer process involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.*

*Apply approved chemical soil stabilizers according to the manufacturer's specifications to all inactive construction areas (previously graded areas that remain inactive for 96 hours), including unpaved roads and employee/equipment parking areas.*

*To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.*

*Paved streets shall be swept frequently (a water sweeper with reclaimed water and a wet broom is recommended) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.*

*As deemed appropriate by the Public Works Department and/or Caltrans, provide temporary traffic control as needed during all phases of construction to improve traffic flow and to reduce vehicle dust emissions.*

*Reduce traffic speeds on all unpaved surfaces to 15 mph or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.*

*By seeding and watering, reestablish ground cover on the construction site as soon as possible and prior to final occupancy.*

*No open burning of vegetative waste or other legal or illegal burn materials may be conducted at the project site. It is unlawful to haul materials offsite for disposal by open burning.*

- 2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40 percent opacity or Ringlemann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to*

*repair the equipment within 72 hours or to remove the equipment from service. Failure to comply may result in a Notice of Violation.*

3. *The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.*
4. *Minimize idling time to 5 minutes.*
5. *Use existing power sources or clean fuel generators rather than temporary generators.*
6. *Develop a traffic plan to minimize traffic flow interference from construction activities.*

#### **IV. BIOLOGICAL RESOURCES**

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>a)</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				<b>X</b>
<b>b)</b> Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				<b>X</b>
<b>c)</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				<b>X</b>
<b>d)</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?				<b>X</b>
<b>e)</b> Conflict with any local policies or ordinances protecting biological resources?				<b>X</b>
<b>f)</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<b>X</b>

#### **Response to Questions:**

- a) There have been no special status species identified on the site or within the vicinity of

the project site. According to the Yuba City General Plan EIR, the only designated special status vegetation species within Yuba City and its Sphere of Influence is the Hartweg's Golden Sunburst, a flowering plant that occurs primarily in the non-native grasslands and is threatened mostly by the conversion of habitat to urban uses. The habitat area for this particular species occurs at the extreme eastern boundary of the City's Planning Area at the confluence of the Feather and Yuba Rivers. This property does not fall within this area, and no adverse impacts to special status species will occur.

- b) As identified in the Yuba City General Plan EIR, there are no riparian habitats or any other sensitive natural communities within the vicinity of the project.
- c) There are no federally protected wetlands within the vicinity of the property.
- d) Because the project is surrounded by urban development, the proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites.
- e) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or any other approved local, regional, or state habitat conservation plans within the project vicinity.

**V. CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				<b>X</b>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		<b>X</b>		
c) Directly or indirectly destroy unique paleontological resources or site or unique geologic features?			<b>X</b>	
d) Disturb any human remains, including those interred outside of formal cemeteries?		<b>X</b>		

**Response to Questions:**

- a) The proposed project will not cause a substantial adverse change in a historical resource, as there are no structures on the site.
- b-d) There are no known archaeological resources located on the site. As part of the construction of the existing subdivision that the project is located, the site was completely graded. Prior to that the property was an orchard and had been tilled for many years. Because of the past ground disturbance, it is very unlikely that any paleontological or

archeological artifacts exist in the area. However, the following mitigation will be placed on the project:

***Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.***

**VI. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>a)</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
<b>i)</b> Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?			<b>X</b>	
<b>ii)</b> Strong seismic ground shaking?			<b>X</b>	
<b>iii)</b> Seismic-related ground failure, including liquefaction?			<b>X</b>	
<b>iv)</b> Landslides?				<b>X</b>
<b>b)</b> Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				<b>X</b>
<b>c)</b> Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				<b>X</b>
<b>d)</b> Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				<b>X</b>

**Response to Questions:**

a-b) No active earthquake faults are known to exist in Sutter County, although active faults in the region could produce motion in Yuba City. However, potentially active faults do exist in the Sutter Buttes but those faults are considered small and have not exhibited activity in recent history (last 200 years).

In the event of a major regional earthquake, fault rupture or seismic ground shaking could potentially injure people and cause collapse or structural damage to existing and proposed structures. Ground shaking could potentially expose people and property to seismic-related hazards, including localized liquefaction and ground failure. All new structures are required to adhere to current California Uniform Building Code (CUBC) standards. These standards require adequate design, construction and maintenance of structures to prevent exposure of people and structures to major geologic hazards. General Plan Implementing Policies 9.2-I-1 through 9.2-I-5 reduce impacts to less than significant.

According to the Environmental Impact Report prepared for the City’s General Plan, due to the area’s flat topography, erosion, landslides, and mudflows are not considered to be a significant risk in the City limits or within the Urban Growth Boundary.

- c) The extreme southwest corner of the Yuba City Growth Boundary is the only known area with expansive soils. The project site is not located within this area and therefore will not be impacted by the presence of expansive soils.
- d) The project will not require the use of septic tanks or alternative waste water disposal systems.

**VII. GREENHOUSE GAS EMISSIONS**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			<b>X</b>	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				<b>X</b>

**Response to Questions:**

a-b) Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, similar to a greenhouse. The accumulation of GHGs has been implicated as a driving force for Global Climate Change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth’s climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere. Both natural processes and human activities emit GHGs. Global Climate Change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. Although there is disagreement as to the speed of global

warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased emission of GHGs and long term global temperature. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. GHG impacts are considered to be exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA, 2008).

The proposed project would not include construction and operational activities. Construction activities would include site preparation, grading, building construction, architectural coatings, and paving activities. Operation would include commuters, utility use, and activities consistent with school uses.

The project would generate what would be considered a significant amount of GHG if project-related GHG emissions were high enough to be considered a major source by CARB. However, due to the small size of this project, it would not be classified as a major source of greenhouse gas emissions by CARB (the lower reporting limit being 25,000 metric tons/year of CO<sub>2</sub>e). Therefore this impact would be considered less than significant.

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>a)</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			<b>X</b>	
<b>b)</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			<b>X</b>	
<b>c)</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			<b>X</b>	
<b>d)</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				<b>X</b>
<b>e)</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport				<b>X</b>

or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

**Response to Questions:**

- a-c) The only hazardous materials associated with this project are those materials associated with construction activities such as solvents, oil and fuel. Provided that proper use and storage is utilized for these materials in accordance with adopted laws, the proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of these hazardous materials.
- d) The site is not listed on any listings of sites that are contaminated by hazardous wastes.
- e) The project is not located within the sphere of influence of the Sutter County Airport.
- f) There are no private airstrips located within City limits or the City’s Urban Growth Boundary.
- g) The proposed project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Neither the Police or Fire Departments expressed concern over the project’s impacts on any emergency response plans.

**IX. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?			X	
d) Create or contribute runoff water which would exceed the capacity of existing or planned			X	

storm water drainage systems or provide substantial additional sources of polluted water?				
e) Otherwise substantially degrade water quality?			X	
f) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

**Response to Questions:**

- a) The proposed project will not violate any water quality or wastewater discharge requirements. Any runoff associated with construction is addressed in part through General Plan Implementing Policies 8.5-I-1 through 8.5-I-10 which require a wide range of developer and City actions involving coordination with the State Regional Water Quality Control Board, protecting waterways, and following Best Management Practices for new construction. The project will have the following conditions of approval to reduce construction-related impacts to a less-than significant level:

*Temporary silt fencing shall be erected during construction so that transport of construction debris can be retained on-site.*

*To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved street from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.*

*Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.*

- b) The project will be served by the City water system, which primarily uses surface water. The City has concluded that it has adequate surface water entitlements from the Feather River as well as treatment/distribution capacity to accommodate any need associated with the project. The project will be required to pay all applicable fees prior to hooking up to City water. The reduced groundwater recharge that could result from the additional impermeable surfaces associated with this project will not be significant due to the small size of the project.
- c) The project will drain into an established drainage system. The drainage from this area flows into a large retention pond located to the east of this development, and from there it is pumped to the Feather River. Therefore the proposed project will not substantially alter the existing drainage pattern of the site or the area. As noted above, all

construction must involve use of Best Management Practices and site improvements to collect storm water runoff from the site and help reduce any off-site drainage from occurring other than into the City's

- c) The existing drainage system was designed and improved to accommodate storm water drainage from the entire area, including this property. Therefore, the proposed project will not create or contribute runoff water that would exceed the capacity of the existing storm water drainage system or provide substantial additional sources of polluted water. The drainage facilities within this area were designed with the assumption that this property would be developed with impermeable surfaces.

The fact that the site is also requesting a general plan amendment and rezoning from commercial to residential will not significantly change the amount of impermeable surface area expected from such a small property.

- e) The proposed project will not substantially degrade water quality. As noted under item a) above, site development will be required to adhere to the General Plan Implementing Policies cited to ensure that water quality degradation does not occur.
- f-h) According to the Federal Emergency Management Agency, the City is considered to be outside of the 100-year flood plain. It is classified as such because of an extensive series of levees and dams along the Feather and Yuba Rivers which protect the city from potential flooding. Local drainage improvements, principally the Gilsizer Slough, Live Oak Canal, and detention ponds provide storm water relief within the urban area.

**X. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				<b>X</b>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				<b>X</b>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				<b>X</b>

**Response to Questions:**

- a) The project, by its nature, will not physically divide an established community. Instead, it is an infill project for new residences within an existing residential area.

- b) The City General Plan designation and zoning for this property is requested by the applicant to be changed from commercial to residential. Because of this there is the potential to cause additional impacts from the changed land use pattern. However, in this case the proposed residential designation for single-family residential uses is typically considered a less intensive use and is more compatible with the neighboring single-family residences than was the commercial designation.
- c) There are currently no adopted habitat conservation plans or natural community conservations plans within City limits or the Urban Growth Boundary.

**XI. MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				<b>X</b>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				<b>X</b>

**Response to Questions:**

- a-b) The proposed project is not expected to impact mineral resources. The project site has no known mineral resource value nor is there opportunity for mineral resource extraction.

**XII. NOISE**

Would the project result in:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			<b>X</b>	
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			<b>X</b>	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			<b>X</b>	

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

**Response to Questions:**

a-d) The proposed single-family residences are not considered to be significant noise generators and therefore are not expected in any significant way to raise the ambient noise levels in the surrounding residential neighborhood.

Short-term noise impacts (and possibly some ground borne vibrations if site compaction is required prior to construction) can be expected resulting from site grading and home construction activities. Construction-related noise impacts will be less than significant because adherence to City Noise standards is required. These standards limit the hours of operation for construction and use of heavy machinery to daytime hours. Further the construction noise is of limited duration, further limiting any adverse impacts.

e-f) The project is not located in an airport land use planning area. There are no private airstrips in Yuba City.

**XIII. POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Response to Questions**

- a) The proposed project will not induce substantial population growth in an area, since the area is already designated by the General Plan for commercial development. As commercial uses are typically considered to be more intensive use than the proposed single-family development, the proposal could be considered to be a change to a less intensive use. City services have already been extended throughout the area, including this property, to serve neighboring urban uses. Further, the surrounding properties are already built-out with single-family residential uses.
  
- b-c) The project will not cause any existing housing to be removed that will necessitate the construction of replacement housing elsewhere.

**XIV. PUBLIC SERVICES**

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			<b>X</b>	
ii) Police protection?			<b>X</b>	
iii) Schools?			<b>X</b>	
iv) Parks?			<b>X</b>	
v) Other public facilities?				<b>X</b>

**Response to Questions:**

- ai-ii) The project site is currently located in the City and is served by Yuba City Police and Fire Departments. The Yuba City Police Department and Fire Department received project plans and did not comment on the project. Other than the small incremental growth this project brings, the project will not result in any additional need for police or fire protection. The City development impact fees mitigate the incremental change.
  
- aiii) This project will not result in any additional direct need for educational services. The incremental increase of new students from the additional housing is mitigated by the school district’s development impact fees for residential development.
  
- aiv-v) This project will not result in any direct additional need for parks or other public facilities. The small incremental increase of new residents is mitigated by the City’s impact fees collected from new development for parks and other City services.

## **XV. RECREATION**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				<b>X</b>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				<b>X</b>

### **Response to Questions:**

a-b) The existing Regency Park is directly across Stabler Lane from this project. The proposed project will increase use of the park by the six new residences, which is only a very small increment, and will not increase the use of the park such that substantial physical deterioration of the facilities would occur. The new residences that will be constructed as a result of this subdivision will pay development impact fees that mitigate any incremental impacts on recreational facilities.

## **XVI. TRANSPORTATION/TRAFFIC**

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			<b>X</b>	
b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			<b>X</b>	
c) Result in inadequate emergency access?			<b>X</b>	
d) Result in inadequate parking capacity?				<b>X</b>
e) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				<b>X</b>

## **Response to Questions:**

- a) The project will result in six more homes being constructed, which will create an incremental traffic increase on Stabler Lane (6 residences x 9.5 trips per day), all of which will utilize Stabler Lane. Stabler Lane is well within the City's policy of being at level of service D or better, and this small increase in traffic will not significantly affect that status.

This proposal also includes a general plan amendment and rezoning of the site from commercial to single-family residential. The proposed residential designation is likely to generate significantly less traffic than otherwise would be generated by development of the site for commercial uses. Therefore the result will likely be less traffic than was originally anticipated by the General Plan.

- b) Because the property was not originally designed for single-family residential development, there are some potential issues associated with providing six individual driveways at this location, three of which are proposed to back-out directly onto Stabler Lane. Further, there will be no on-street parking available to the proposed lots.

Regarding the driveways backing onto Stabler lane, the Public Works Department has reviewed the proposal and offered that these driveways are not an ideal situation, but since there are a very limited number of lots, it should not be a significant problem. However, a mitigation measure is proposed that will further reduce any impacts. The mitigation, which is provided below, requires widening of Stable Lane by 3-5 feet in order to allow on-street parking. This mitigation will also enhance the ability of a vehicle backing out of the driveway to avoid backing directly into the drive lane. The driveway for Lot 5 is the closest to the traffic circle, but is also not considered a significant problem, as the approaching traffic will be slowing down anyway as the vehicles approach the traffic circle.

***The developer shall widen Stabler Lane in order to allow on-street parking. The widening shall include dedication of additional right-of-way, as needed, moving the PUE, as needed, re-location of the curb, gutter and sidewalk and provision of additional paving on Stabler Lane. This is expected to be 3 feet to 5 feet in additional width, as determined by the Public Works Department.***

Another mitigation is included which further reduces the impact of vehicles backing out onto Stabler lane:

***Garages for Lots 3, 4 and 5 shall be side facing and shall provide adequate driveway width to allow vehicles exiting the property to turn around and exit the driveway facing forward.***

- c) The Fire Department and Police Departments have reviewed the project plans and did not express concerns about emergency access to the property.

- d) Because this is a subdivision there are no buildings or uses proposed that require parking. However, as a result of the subdivision there will ultimately be 6 new residences constructed. The City Zoning Regulations require the new single-family residences to provide at least two off-street parking spaces per lot. This parking plus the new on-street parking provided in the mitigation above will mitigate any parking shortage concerns.
- e) There are no changes proposed that would adversely impact buss or bicycle movements.

**XVII. UTILITIES AND SERVICE SYSTEMS**

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>a)</b> Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			<b>X</b>	
<b>b)</b> Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			<b>X</b>	
<b>c)</b> Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			<b>X</b>	
<b>d)</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			<b>X</b>	
<b>e)</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?			<b>X</b>	
<b>f)</b> Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?			<b>X</b>	
<b>g)</b> Comply with federal, state, and local statutes and regulations related to solid waste?			<b>X</b>	

**Response to Questions:**

- a-e) The proposed subdivision has been evaluated by the City’s utility departments who have concluded that the City has adequate water entitlements and treatment/distribution capacity in its plants to serve the proposed project. The project applicant will be required to pay all applicable connection fees prior to hooking up to City utilities.
- f-g) Yuba-Sutter Disposal, Inc. provides solid waste disposal for the area. There is adequate collection and landfill capacity to accommodate the proposed office/industrial use.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

<b>Does the Project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>a)</b> Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important example of the major periods of California history or prehistory?			<b>X</b>	
<b>b)</b> Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)		<b>X</b>		
<b>c)</b> Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		<b>X</b>		

- a) The project site is in an urbanized area with little biological value. The proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate an important example of the major periods of California history or prehistory.
- b) The project does not create a situation with limited individual but cumulatively considerable impacts that can be considered significant.
- c) The proposed project would create no adverse impacts, either directly or indirectly, to residents in the project area.

## **Documents Referenced in the Initial Study and/or Incorporated by Reference**

The following documents were used to determine the potential for impacts from the proposed project. Compliance with federal, state and local laws is assumed in all projects.

Yuba City General Plan, 2004.

Yuba City Zoning Regulations.

Feather River Air Quality Management District (FRAQMD) CEQA Significance Thresholds.

Yuba Sutter Transit Route Map.

California Department of Conservation, California Geological Survey. “Fault Zone Activity Map” 2010.

Alquist-Priolo Earthquake Fault Zones.

California Department of Toxic Substances Control – 2013 database.

California Department of Conservation, division of Land Resource Protection Farmland Mapping and Monitoring Program – Sutter County Important Farmland Map.

Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps.

City of Yuba City Water Master Plan.

City of Yuba City Wastewater Master Plan.

## Attachment 4: Resolution

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
ADOPTING AN AMENDMENT TO THE LAND USE ELEMENT OF  
THE YUBA CITY GENERAL PLAN FOR: FILE NO. GPA 14-03,  
ASSESSOR'S PARCEL # 59-030-018**

**WHEREAS**, the Yuba City Planning Commission conducted two public hearings on March 11 and May 13, 2015 on the proposed General Plan Amendment to the Yuba City General Plan to redesignate the land use designation from Neighborhood Commercial to Low Density Residential;

**WHEREAS**, the Planning Commission found that the proposed General Plan Amendment is in the public interest;

**WHEREAS**, following the May 13, 2015 public hearing the Planning Commission adopted the mitigated negative declaration finding, with the mitigation measures, there is no substantial evidence that the project will have a significant impact on the environment;

**WHEREAS**, the Planning Commission recommended to the City Council of the City of Yuba City that it adopt the Commission's recommended findings, accept the mitigated negative declaration and approve the General Plan amendment to change the land use designation from Neighborhood Commercial to Low Density Residential; and

**WHEREAS**, the City Council of the City of Yuba City considered said recommendations of the City Planning Commission on the matter of redesignating said property and conducted a public hearing on the project on July 21, 2015 and after review and consideration of the mitigated negative declaration found that the mitigated negative declaration prepared for the project is in conformance with State and local environmental guidelines and accepted said mitigated negative declaration.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Yuba City does hereby resolve that the Land Use Element of the Yuba City General Plan be amended.

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 July 21, 2015 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
John Dukes, Mayor

ATTEST:

\_\_\_\_\_  
Terrel Locke, City Clerk

## Attachment 5: Ordinance

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
RELATING TO AMENDMENTS TO THE OFFICIAL ZONING MAP TO  
AMEND THE ZONING CLASSIFICATION FROM A NEIGHBORHOOD  
COMMERCIAL (C-1) ZONE DISTRICT TO A ONE-FAMILY RESIDENCE  
(R-1) ZONE DISTRICT ON 1.21 ACRES: FILE # RZ 14-02; BEING  
ASSESSOR'S PARCEL NUMBERS: 59-030-018; APPLICANT: RYAN  
DUSA/PROPERTY OWNER: CALIFORNIA CAPITAL LOANS**

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

Section 1. The Planning Commission of the City of Yuba City having heretofore conducted public hearings on March 11 and May 13, 2015 on the matter of rezoning of APN #59-030-018, and at the conclusion of said hearing adopted the Mitigated Negative Declaration prepared for the project, determining that there are no significant adverse environmental impacts resulting from the project and recommended City Council approval of the rezoning of said property from a C-1 Zone District to a R-1 Zone District.

The City Council of the City of Yuba City having considered said recommendations of the City Planning Commission on the matter of the rezoning of said property and conducted a public hearing on the matter on July 21, 2015, and after review and consideration of the Mitigated Negative Declaration found that the Mitigated Negative Declaration prepared for the project is in conformance with State and local environmental guidelines and accepted said Mitigated Negative Declaration.

IT IS HEREBY ORDERED, RESOLVED AND DECREED, that the property identified as APN # 59-030-018, be and the same is rezoned to the One-Family Residence Zone District.

This ordinance shall be effective thirty (30) days after it is adopted, and, after it is adopted, 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 21<sup>st</sup> day of July, 2015, and passed and adopted at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
John Dukes, Mayor

ATTEST:

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Terrel Locke, City Clerk

APPROVED AS TO FORM:

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Timothy Hayes, City Attorney

**MINUTES (DRAFT)**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF YUBA CITY**  
**COUNCIL CHAMBERS**  
**June 16, 2015**  
**5:00 P.M. – CLOSED SESSION**  
**6:00 P.M. – REGULAR MEETING**

**Closed Session—Butte Room**

- A. Confer with labor negotiators Diana Langley and Natalie Walter regarding negotiations with Yuba City Firefighters Local 3793, pursuant to Section 54957.6 of the Government Code.

**Regular Meeting—Council Chambers**

The City of Yuba City City Council meeting was called to order by Mayor Dukes at 6:00 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 Didbal led the Pledge of Allegiance.

**Presentations & Proclamations**

**1. Sexual Assault Prevention Month**

Mayor Dukes presented Rosa Zuniga on behalf of Casa de Esperanza with a proclamation in appreciation of their service to the Yuba-Sutter Community.

**Public Communication**

**2. Written Requests –**

The following persons spoke:

a) Yuba Sutter Naval Cadets: Kurtis Gant spoke about how excited the organization is to open a location in Yuba City of Yuba City.

b) Marysville Stampede: Jackie Sillman, Sandee Drowne, Tina Williams, and Reno Rosser shared the success of the Stampede and expressed thanks to Economic Growth Manager Darin Gale for helping things to run smoothly.

**3. Appearance of Interested Citizens -**

The following person spoke:

Hardeep Singh from the Punjabi American Heritage spoke regarding the organizations future interest Firehouse 4.

## Public Hearing

4. **Authorization for the Receipt, Allocation and Expenditure of the FY 2015-2016 Edward Byrne Memorial Justice Assistance Grant in the Amount of \$13,059.**

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

Councilmember Cleveland adopt **Resolution No. 15-030** authorizing the Chief of Police to accept the FY 2015-2016 Edward Byrne Memorial Justice Assistance Grant funding and approve expenditure recommendations, authorize the Mayor to execute the associated memorandum of understanding with Sutter County on behalf of the City, following approval by the City attorney, and authorize the Chief Financial Officer to make budget adjustments as necessary. Councilmember Buckland seconded the motion that passed with a unanimous vote.

5. **General Plan Amendment 14-03 and Rezone 14-02 for an approximately 1.21 acre lot; Applicant: Ryan Dusa; Property Owner: California Capital Loans Inc. The property is located on the east side of Stabler Lane between Parc East Drive and Butte Vista Lane. Assessor's Parcel Number 59-030-018.**

Mayor Dukes opened the public hearing. The following person spoke:

Holly Stout, 1546 Butte Vista Yuba City

Mayor Dukes closed the public hearing.

At the request of the Property Owner and Staff, Mayor Dukes continued this item to the July 21, 2015 City Council Meeting.

## Ordinance

6. **California Public Employees' Retirement System (CalPERS) Contract Amendment to implement employee cost sharing**

Councilmember Gill moved to: A) Adopt **Ordinance No. 004-15** amending the City's contract 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, Fire Management, First Level Managers bargaining units, and the unrepresented Confidentials and Executive Team and waive the second reading; and B) Adopt **Resolution No. 15-031** for CalPERS stating the City is no longer paying 8% or 7% (dependent on retirement formula) of the classic CalPERS City Council's member contribution effective July 25, 2015. Councilmember Didbal seconded the motion that passed with a unanimous vote.

## Consent Calendar

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

7. **Minutes of May 26, 2015 and June 2, 2015**

Approved the City Council Meeting Minutes of May 26, 2015 and June 2, 2015.

## General Items

8. **Wildewood West Landscaping District – Special Tax**

Councilmember Buckland moved to adopt **Resolution No. 15-032** directing the levying of taxes for maintenance of street landscaping in the Wildewood West Subdivision for Fiscal Year 2015-2016. Councilmember Didbal seconded the motion that was passed with a unanimous vote.

**9. Bridge Street Reconstruction – Cooper Avenue to Plumas Street (Plans and Specifications)**

Councilmember Buckland moved to: A) Adopt **Resolution No. 15-033** approving the plans and specifications for the Bridge Street Reconstruction Project – Cooper Avenue to Plumas Street and authorizing advertisement for bids on the project. [Estimated Construction Cost \$2,350,000]; B) Authorize the Finance Director to make necessary budget transfers from CIP account 971023 (Replacement and Major Maintenance of Water Lines) in the amount of \$330,000 to 911206 (Bridge Street Reconstruction); and C) Authorize the Finance Director to make necessary budget transfers from CIP account 971095 (Fire Hydrant Relocation and Repair) in the amount of \$20,000 to 911206 (Bridge Street Reconstruction). Councilmember Gill seconded the motion which passed with a unanimous vote.

**10. Sale and Future Development of former Fire Station 4 and adjacent property**

Councilmember Gill moved to initiate a 45 day Request for Proposal for the redevelopment of 211 South Walton and 217 South Walton Avenue. Councilmember Buckland seconded the motion that passed with a unanimous vote.

**Business from the City Council**

**11. 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 in memory of Dr. Karen Kakashiba at 6:58 pm.

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John Dukes, Mayor

Attest:

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Terrel Locke, City Clerk



CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Administration  
**Presentation By:** Terrel Locke, City Clerk

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**Summary**

**Subject:** Designation of Voting Delegates for the League of California Cities Annual Conference September 2015

**Recommendation:** Designate the Mayor to serve as the Voting Delegate for the 2015 League of California Cities Annual Conference in September

**Fiscal Impact:** \$500 for conference registration to be paid from the City's Travel and Meeting Account 4220-62801

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**Purpose:**

To designate voting delegates to the 2015 League of California Cities Annual Conference.

**Background:**

The League of California Cities Annual Conference is being held September 30 – October 30, 2015 at the San Jose Convention Center. An important part of the Annual Conference is the Annual Business Meeting, scheduled for Friday, October 2. At this meeting, the League membership considers and takes action on resolutions that establish League Policy.

**Analysis:**

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate. Two alternate voting delegates may also be appointed, one of whom may vote in the event that the designated voting delegate is unable to serve. The League's bylaws state that that designating a voting delegate and alternates must be done by City Council action and cannot be accomplished by the individual action of the Mayor or City Manager. The names of the voting delegate and alternates must be submitted to the League by September 18, 2015.

**Fiscal Impact:**

The voting delegate must be registered to attend the conference Annual Business Meeting on Friday, October 2, 2015. Full conference registration fees are \$500 for each attendee.

**Recommendation:**

Designate The Mayor to serve as the Voting Delegate for the 2015 League of California Cities Annual Conference in September.

Prepared by:

*/s/ Terrel Locke*

Terrel Locke  
City Clerk

Submitted by:

*/s/Steven C. Kroeger*

Steven C. Kroeger  
City Manager

Reviewed by:

City Attorney

*/s/ TH (e-mail)*



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

Council Action Advised by July 31, 2015

ADMINISTRATION

JUN 05 2015

RECEIVED

May 29, 2015

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES**  
**League of California Cities Annual Conference – September 30 – October 2, San Jose**

The League's 2015 Annual Conference is scheduled for September 30 – October 2 in San Jose. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, October 2, at the San Jose Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 18, 2015. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

-over-

## Annual Conference Voting Procedures 2015 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: \_\_\_\_\_

2015 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, September 18, 2015. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

2. VOTING DELEGATE - ALTERNATE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

3. VOTING DELEGATE - ALTERNATE

Name: \_\_\_\_\_

Title: \_\_\_\_\_

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: \_\_\_\_\_ E-mail \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_
(circle one) (signature)

Date: \_\_\_\_\_

Please complete and return by Friday, September 18, 2015

League of California Cities
ATTN: Kayla Gibson
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kgibson@cacities.org
(916) 658-8247

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Finance Department  
**Presentation By:** Spencer Morrison, Accounting Manager

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**Summary**

**Subject:** Approving a government crime insurance policy for the purpose of bonding City officers and employees and establishing policy limits

**Recommendation:** Adopt a resolution approving that the City's government crime insurance policy satisfies GC §36518 and §1463, and establishes the coverage limit of said policy to \$1 million with a maximum deductible of \$10,000 per occurrence with the premiums paid by the City of Yuba City

**Fiscal Impact:** None. The City has a current crime policy through NCCSIF with the required limits

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**Purpose:**

To update existing Resolution No. 6750 to bring current with Governmental Code and City practice regarding bonding employees against criminal acts.

**Background:**

The City is required by its liability coverage JPA to approve a resolution that officially acknowledges its use of government crime insurance policies to address the bonding of City officers and employees and establishes policy limits. The former Resolution No. 6750 contains practice and coverage limits that require revision.

**Analysis:**

California Government Code (GC) §36518, requires City Council by resolution to establish the penal sum of the bond for the positions of City Clerk and City Treasurer. There are additional sections of code, GC §36519, §1480, §1481(b), and §1481(c), which elaborate on the securing of bonds. However, GC §1463 provides the City and its officers with an alternative to bonding against crime through a crime insurance policy:

*"1463. For the purposes of this chapter, a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, may be provided as an alternative to the official bond by any county or city..."*

The City is currently covered by a crime insurance policy through its liability coverage joint powers authority, NCCSIF, with a coverage limit of \$1,000,000, and a deductible of \$5,000 per occurrence, which is in line with the GC.

**Fiscal Impact:**

None. The City has a current crime policy through NCCSIF with the required limits.

**Alternatives:**

Council may elect to not utilize a government crime insurance policy as per GC §1463, and return to the past practice of utilizing a master bond, or require City officers and employees to secure individual bonds.

**Recommendation:**

Adopt a resolution approving that the City's government crime insurance policy satisfies GC §36518 and §1463, and establishes the coverage limit of said policy to \$1 million with a maximum deductible of \$10,000 per occurrence with the premiums paid by the City of Yuba City.

Prepared by:

/s/ Spencer Morrison  
Spencer Morrison  
Accounting Manager/City Treasurer

Submitted by:

Steven C. Kroeger  
Steven C. Kroeger  
City Manager

Reviewed by:

Finance

/s/ RB

City Attorney

/s/ TH via email

**RESOLUTION NO. 15-\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
APPROVING GOVERNMENT CRIME INSURANCE POLICY FOR THE  
PURPOSE OF BONDING CITY OFFICERS AND EMPLOYEES AND  
ESTABLISHING POLICY LIMITS**

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

WHEREAS, California Government Code §36518 requires City Council by resolution to establish the penal sum of the bond for the positions of City Clerk and City Treasurer; and

WHEREAS, California Government Code §36519 provides that the City Council may require bonds of any other officer or employee of the City; and

WHEREAS, California Government Code §1480 provides that every officer, agent, or employee not required by statute to give an official bond may be required to give an individual official bond or other form of individual bond in the amount to be fixed by the appointing power and such bond shall inure to the benefit of the appointing power, state, county, or municipality by whom such officer, employee, or agent is employed as well as the officer under whom the employee or agent serves; and

WHEREAS, California Government Code §1463 states, a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, may be provided as an alternative to the official bond by any county or city, subject to approval by the presiding judge of the superior court and recording and filing as provided in §§1457 to 1460.1, inclusive. An insurance policy procured pursuant to this section may be used as a master bond as though it were an official bond, subject to approval of the appointing power or the legislative body as provided in §1481; and

WHEREAS, California Government Code §1481 (b) provides that notwithstanding any other provision of law when deemed expedient by the legislative body of a local public agency, a master official bond or other form of master bond may be used which shall provide coverage on more than one officer, employee, or agent of the local public agency, whether elected or appointed who is required by statute, regulation, the appointing power, the governing board of a local public agency, or the board of supervisors of a chartered or general law county to give bond; and

WHEREAS, California Government Code §1481 (c) provides that a master bond under this section shall be in the form and for the term which is approved by the appointing power or the legislative body of a local public agency and shall inure to the benefit of the appointing power, state, or local public agency by whom the officer,

employee, or agent is employed as well as the officer or officers under whom the employee or agent serves.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City hereby deems:

1. That the bonding requirements for public officers and employees required by California Government Code, Yuba City Municipal Code, or City Council Resolution, shall be in the form of a Government Crime Insurance Policy that provides coverage for the City of Yuba City officers and employees;
2. That the limits of the Government Crime Policy shall be at least \$1,000,000 per occurrence for employee theft, with a deductible amount of not more than \$10,000 per occurrence, with sub-limits for other forms of loss covered by the policy as deemed appropriate; and
3. That the premiums shall be paid by the City.

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 21<sup>st</sup> day of July, 2015.

AYES:

NOES:

ABSENT:

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John Dukes, Mayor

ATTEST:

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Terrel Locke, City Clerk

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** City Treasurer  
**Presentation by:** Spencer Morrison, Accounting Manager/City Treasurer

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**Summary**

**Subject:** Authorization for certain positions to sign City checks, warrants, or drafts  
**Recommendation:** Adopt a resolution designating certain City positions to be authorized signers for City checks, warrants, or drafts as per Sec. 3-3.03 of the Yuba City Municipal Code  
**Fiscal Impact:** None

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**Purpose:**

To update the list of positions authorized to sign City checks, warrants, or drafts.

**Background:**

Section 3-3.03 of the Yuba City Municipal Code entitled ‘Warrants for Payment: Preparation’ provides that the City Council shall by resolution establish the City officers and employees authorized to sign City checks, warrants, or drafts.

**Analysis:**

The City Council adopted Resolution No. 03-048 on April 15, 2003, naming four positions as signers for the City of Yuba City. Due to organizational and title changes that have occurred since 2003, staff has determined that it is time to update the list of authorized check, warrant, or draft signers to the following:

Old	New
City Administrator	City Manager (Primary)
Administrative Services Director	Finance Director (Primary)
Finance Officer	City Clerk (Secondary)
Human Resources Administrator	Human Resources Director (Secondary)

Staff also recommends adding that at least one signature of a primary signer must be included on each check, warrant, or draft.

**Fiscal Impact:**

None

**Alternatives:**

Continue to operate under the authority of Resolution No. 03-048.

**Recommendation:**

Adopt a resolution approving the updated list of positions authorized to sign checks, warrants, or drafts as per Section 3-3.03 of the Yuba City Municipal Code.

Prepared by:

Submitted by:

*/s/ Spencer Morrison*

Spencer Morrison  
Accounting Manager/City Treasurer

*/s/ Steven C. Kroeger*

Steven C. Kroeger  
City Manager

Reviewed by:

Department Head

*/s/ RB*

City Attorney

*/s/ TH (e-mail)*

RESOLUTION NO. 03-048

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
YUBA CITY AUTHORIZING CERTAIN CITY OFFICIALS TO  
SIGN CITY CHECKS, WARRANTS, OR DRAFTS**

WHEREAS, Sec.3-3.03 of the Yuba City Municipal Code entitled 'Warrants for Payment: Preparation' provides that the City Council shall by resolution establish the City officers and employees authorized to sign City checks, warrants, or drafts, and;

WHEREAS, the City Council desires to formally designate those individuals authorized to sign City checks, warrants, or drafts by this resolution.

NOW, THEREFORE, THE CITY COUNCIL HEREBY RESOLVES that the following individuals are hereby authorized to sign City checks, warrants, or drafts:

City Administrator

Administrative Services Director

Finance Officer

Human Resources Administrator (when other authorized individuals are not available)

The foregoing Resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on April 15, 2003 by the following vote:

AYES: Councilmembers Cartoscelli, Doolittle, Hellberg, Hilliard, and Mayor Barkhouse

NOES: None

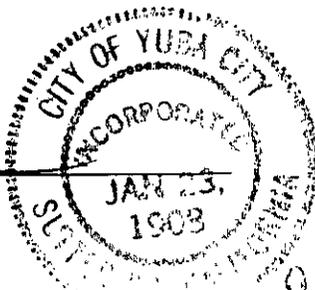
ABSENT: None



Bob Barkhouse  
Mayor

Attest:

  
Susan Pearson  
City Clerk



03 048

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AUTHORIZING CERTAIN CITY OFFICIALS TO SIGN CITY CHECKS,  
WARRANTS, OR DRAFTS**

WHEREAS, Sec. 3-3.03 of the Yuba City Municipal Code entitled 'Warrants for Payment: Preparation' provides that the City Council shall by resolution establish the City officers and employees authorized to sign City checks, warrants, or drafts; and

WHEREAS, the City Council desires to formally designate those positions authorized to sign City checks, warrants, or drafts by this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City that the following positions are hereby authorized to sign City checks, warrants, or drafts:

City Manager (Primary)  
Finance Director (Primary)  
Human Resources Director (Secondary)  
City Clerk (Secondary)

AND, BE IT FURTHER RESOLVED that at least one primary position signature shall be on the City's check, warrant, or draft.

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 21<sup>st</sup> day of July, 2015.

AYES;  
NOES;  
ABSENT:

\_\_\_\_\_  
John Dukes, Mayor

ATTEST:

\_\_\_\_\_  
Terrel Locke, City Clerk

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** Benjamin Moody, Deputy Public Works Director - Engineering

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**Summary**

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

**Recommendation:** a. Adopt the following resolutions to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972:

- Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
- Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1
- Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6
- Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6

b. Set a public hearing for August 18, 2015, at 6:00 pm to establish assessments for FY 15/16.

**Fiscal Impact:** None.

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**Purpose:**

To initiate proceedings for the continuation of the levy of Assessments for fiscal year 2015/16 within the Yuba City Landscape Maintenance District No. 1 and Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

**Background:**

The City annually levies and collects special assessments in order to maintain and service landscaping and lighting improvements that provide special benefit to the parcels identified in Landscape Maintenance District 1 or Lighting and Landscape Maintenance Districts 2-6. The assessments were approved by the property owners of record through a protest ballot proceeding at the time the Districts were formed.

District 1, which includes the Garden Highway area and Stabler Lane area, does not have provisions for a cost of living adjustment (COLA). This District has historically been charged the maximum levy allowed in order to cover the expenses.

Districts 2 (Town Square Area), 3, 4, 5, (69 subdivisions located throughout the City) and 6 (several commercial areas throughout the City) have provisions for a COLA, which is based on the Consumer Price Index from February to February for District 2 and May to May for Districts 3-6.

Staff has analyzed the Districts and has projected anticipated expenditures and revenues for the coming fiscal year, as a basis for the proposed levies. The Consumer Price Index remained flat at 0.0% for this past year resulting in no change to the possible maximum levy.

Additionally, past Council direction advised staff to levy assessments in future years at levels in which reserves will be maintained, and the revenues will cover the expenses with minimal increases from year to year.

**Analysis:**

The Engineer’s Annual Reports have been prepared and are on file in the City Clerk’s office. They describe each District, the improvements therein, the method of assessment, and the proposed assessment for each parcel. The Resolution directing the filing of the Annual Reports and the Resolution of Intention to order improvements are required by State law to continue the Districts. The action tonight sets a public hearing for the Council meeting to be held on August 18, 2015, to establish assessments for the coming year.

Districts 4 and 5 will see increases in their annual levies. The levies were increased in anticipation of increased expenditures associated with a renewed focus by the City to improve maintenance in the maintained areas. Additionally, staff expects that the landscape maintenance contract prices will increase, due to the expiration of the existing 3 year service contract.

To avoid a large increase in the annual levy, the City has proposed to use a portion of the reserve fund balances to help the property owners “ease” into the higher cost.

**Fiscal Impact:**

The proposed assessments for fiscal year 2015/16 are shown in Exhibit A.

The projected revenue, expenditures, and cash balance, which include capital reserve, for the Districts, are as follows:

<u>District</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Projected Reserve Fund Balance as of 7/1/16*</u>
1	\$88,326	\$86,513	\$53,170
2	\$80,749	\$85,167	\$68,540
3	\$6,607	\$6,428	\$30,878
4	\$109,100	\$155,841	\$122,451
5	\$350,832	\$394,214	\$437,389
6	\$21,793	\$14,358	\$122,168

\*The Projected Reserve Fund Balance is the total of the Capital Replacement Reserve plus the Operating Reserve.

**Alternatives:**

Modify the assessment amounts or cancel the Districts and find alternative funding sources to maintain the landscaping and streetlights.

**Recommendation:**

a. Adopt the following resolutions to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:

- Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
- Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1
- Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6
- Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6

b. Set a public hearing for August 18, 2015, at 6:00 pm to establish assessments for FY 15/16.

Prepared By:

*/s/ Benjamin Moody*  
Benjamin Moody  
Deputy P.W. Director, Engineering

Submitted By:

*/s/ Diana Langley*  
Diana Langley  
Acting City Manager

Reviewed by:

Department Head  
Finance  
City Attorney

*/s/ RL*

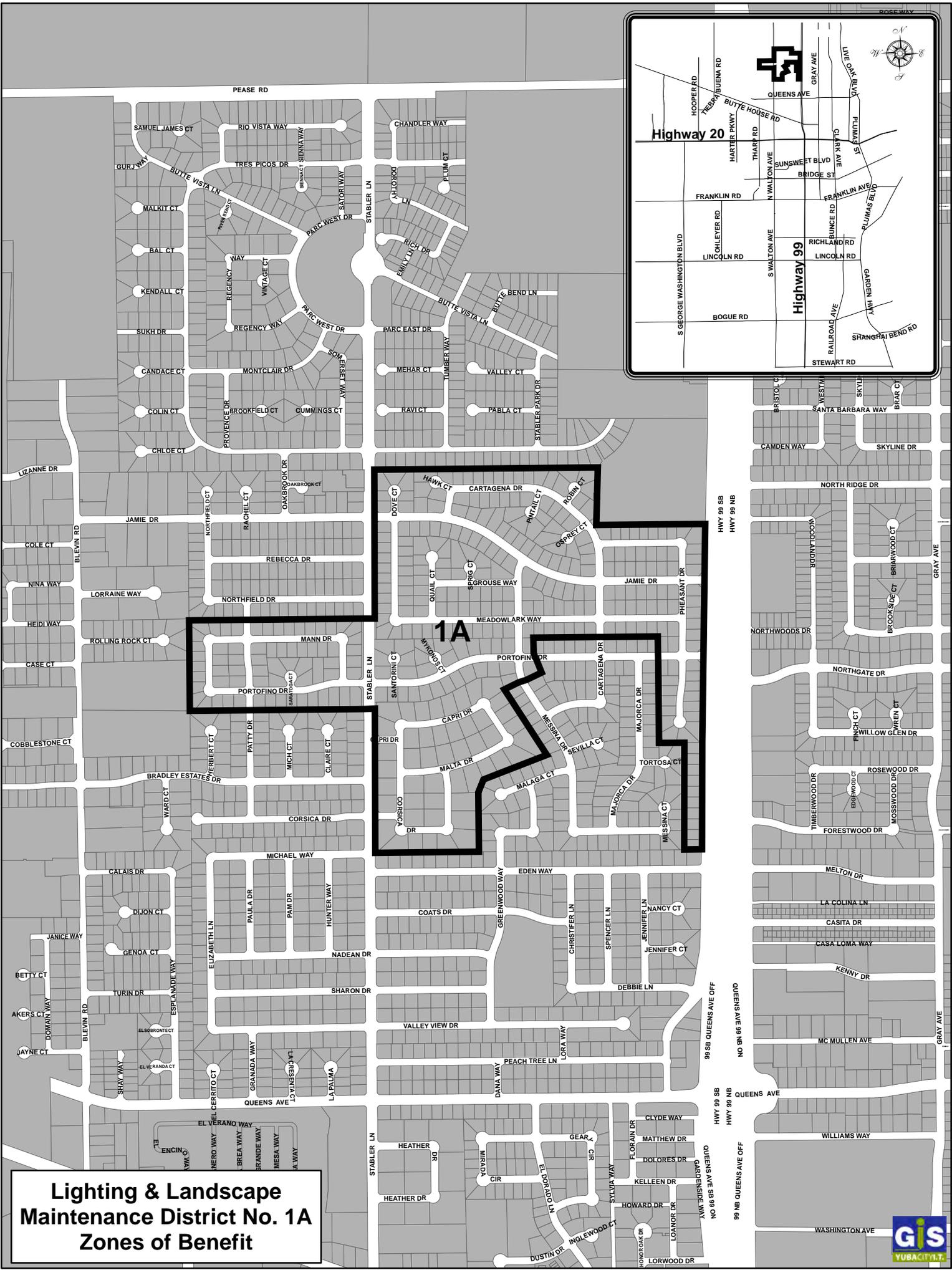
*/s/ RB*

*/s/ TH (via e-mail)*

**EXHIBIT A**

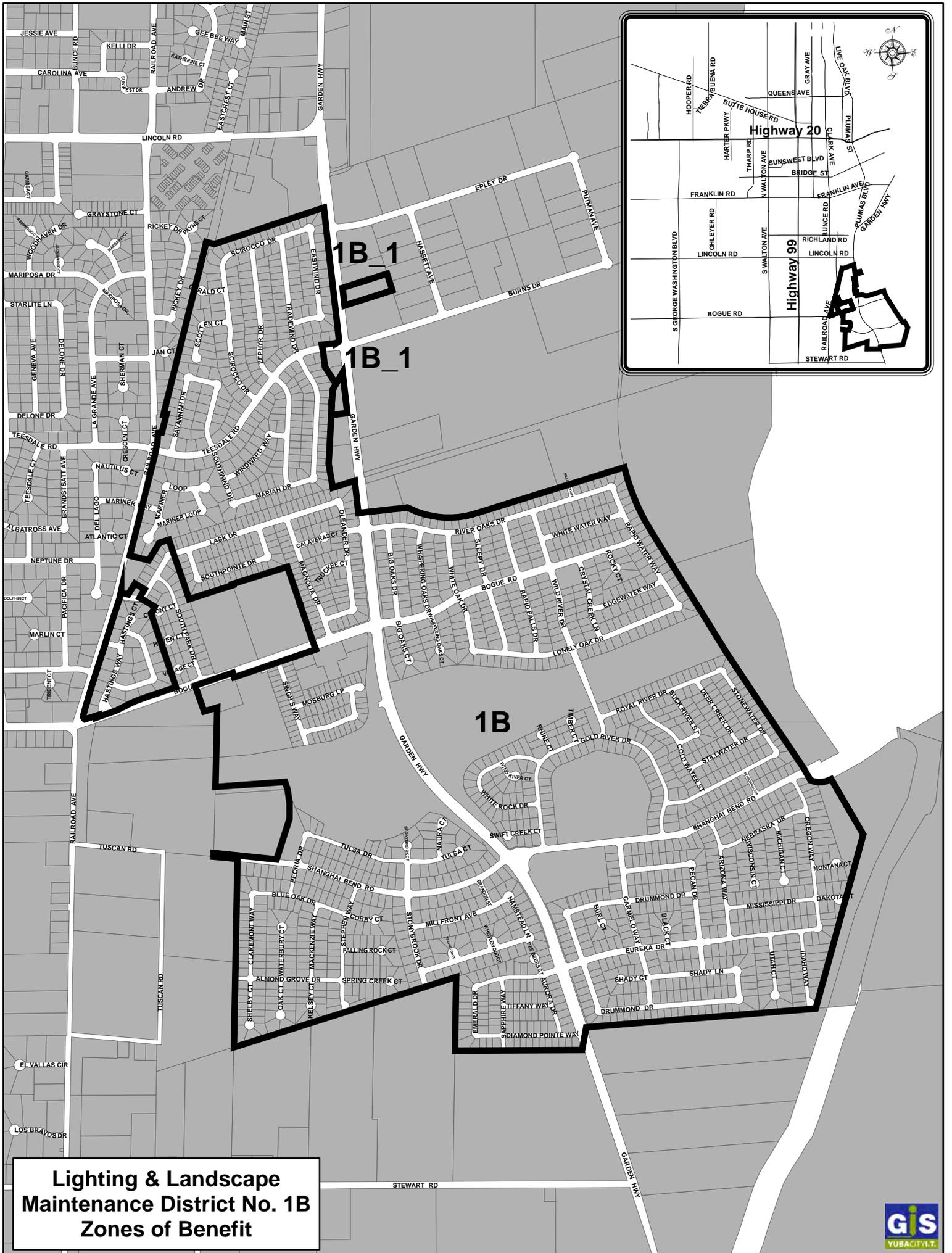
District	Zone of Benefit	FY 15/16 Proposed Levy (\$)	Change From Previous Year (\$)	Maximum Levy Allowed (\$)
1	A	56.72	0	56.72
	B	29.50	0	29.50
	B_1	30.53	0.00	30.53
2	A	540.16	0.00	540.16
3	A	71.59	(25.00)	153.60
4	A	189.53	83.42	402.17
	B	189.29	83.41	544.65
	C	189.69	85.27	330.48
	D	189.83	82.96	296.09
5	A	90.78	90.78	195.97
	B	54.94	20.65	65.79
	C	118.59	56.96	142.03
	D	102.35	37.83	195.03
	E	64.50	19.50	80.55
	F	90.78	58.17	158.47
	G	41.36	16.36	49.55
	H	26.58	6.58	31.84
	I	55.74	15.66	66.76
	J	62.16	16.18	178.87
	K	157.61	35.52	253.07
	L	86.59	(31.37)	117.96
6	A_1	272.79	0.00	272.79
	A_2	272.79	0.00	272.79
	A_3	272.79	0.00	272.79
	B_1	438.62	0.00	438.62

District	Zone of Benefit	FY 14/15 Proposed Levy	Change From Previous Year (\$)	Maximum Levy Allowed (\$)
6	B_2	403.02	0.00	403.02
	B_3	277.25	0.00	277.25
	B_4	1,463.23	0.00	1,463.23
	B_5	0.00	0.00	418.07
	B_6	80.62	0.00	80.62
	B_7	80.62	0.00	80.62
	B_8	184.32	184.32	184.32



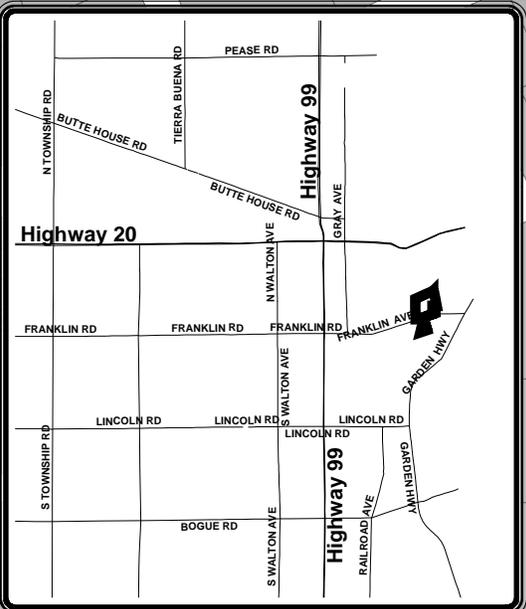
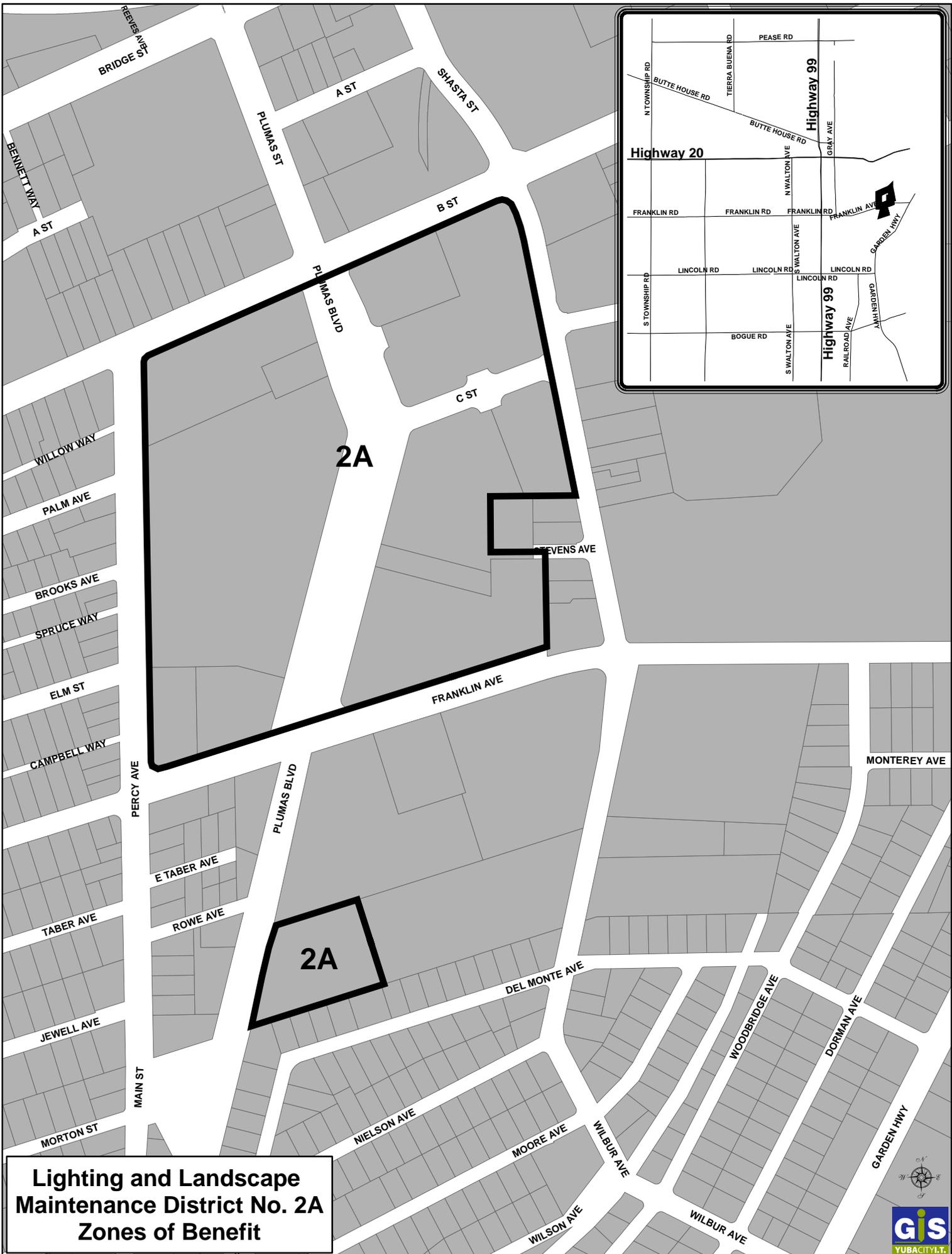
**Lighting & Landscape  
Maintenance District No. 1A  
Zones of Benefit**





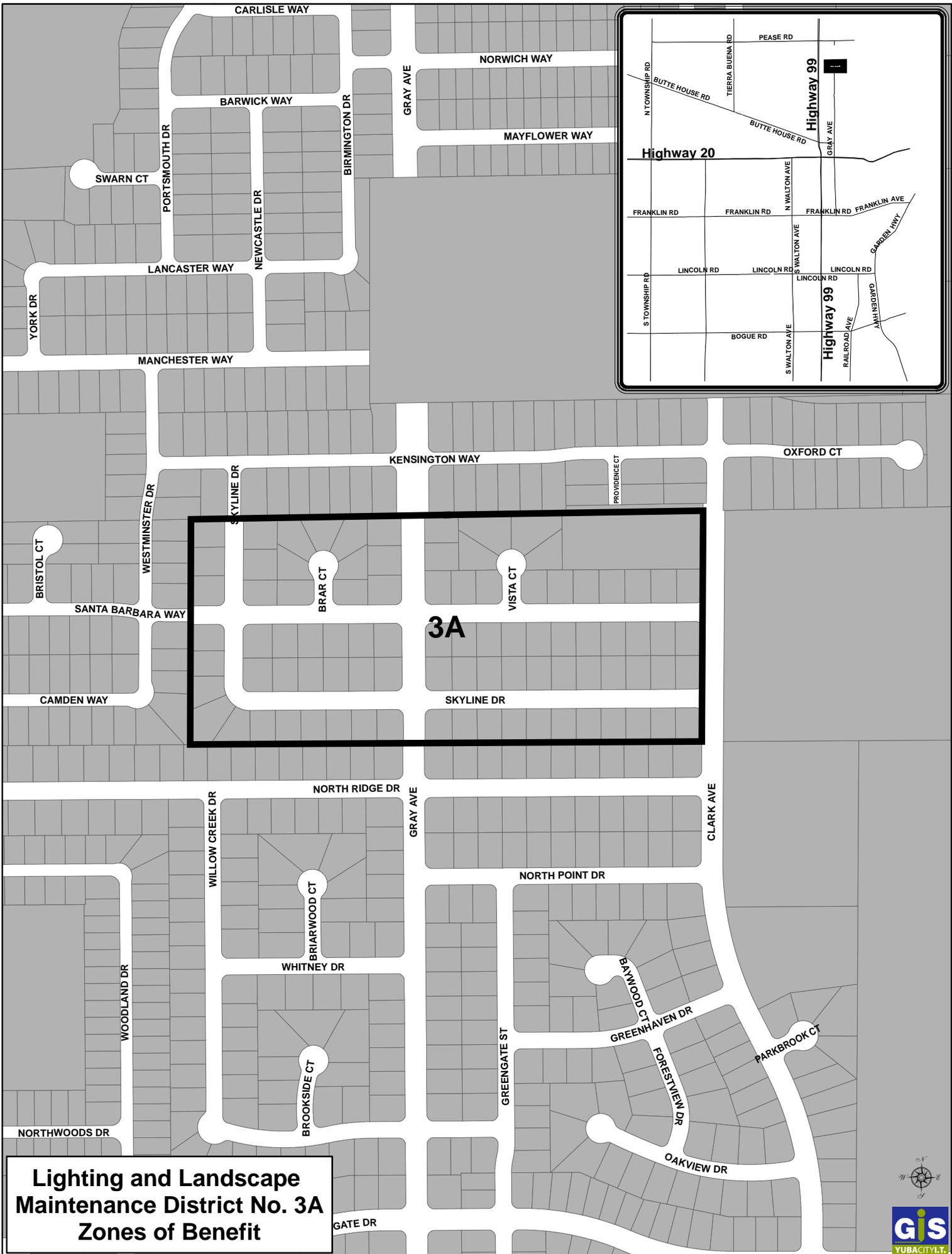
**Lighting & Landscape  
Maintenance District No. 1B  
Zones of Benefit**





**Lighting and Landscape  
Maintenance District No. 2A  
Zones of Benefit**

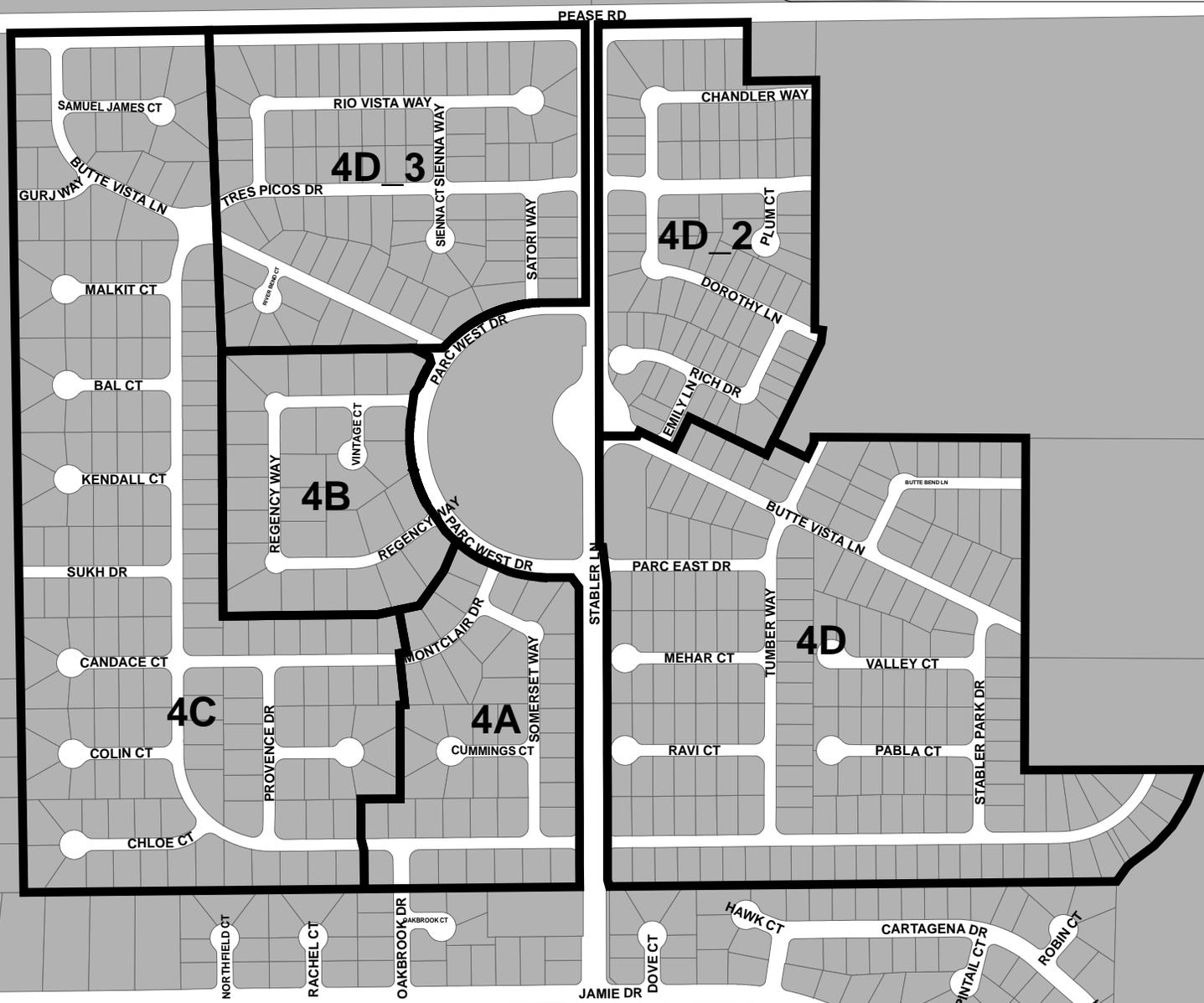
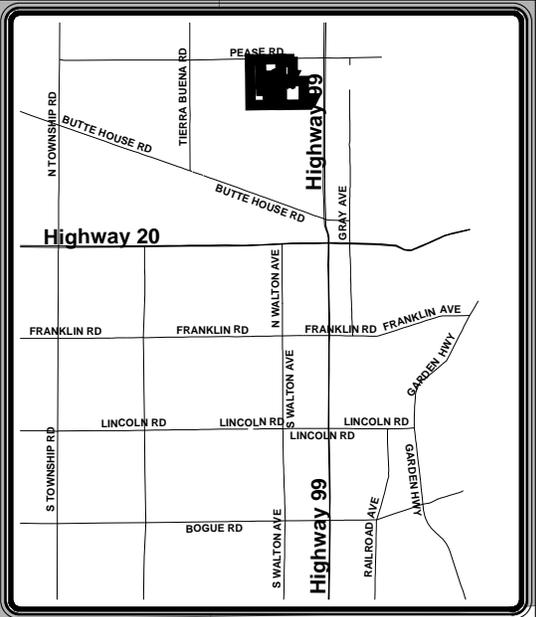




**3A**

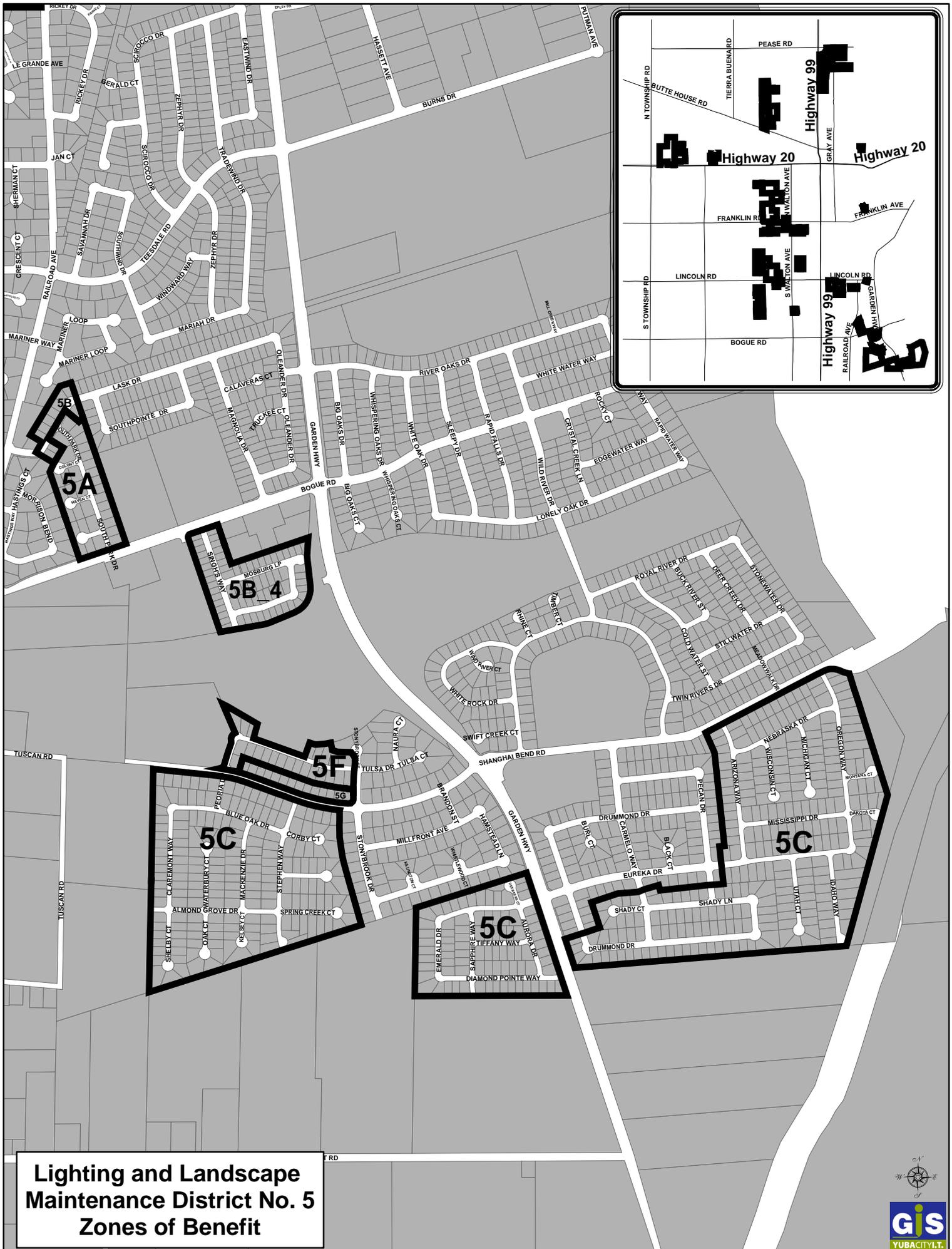
**Lighting and Landscape  
Maintenance District No. 3A  
Zones of Benefit**





**Lighting and Landscape  
Maintenance District No. 4  
Zones of Benefit**

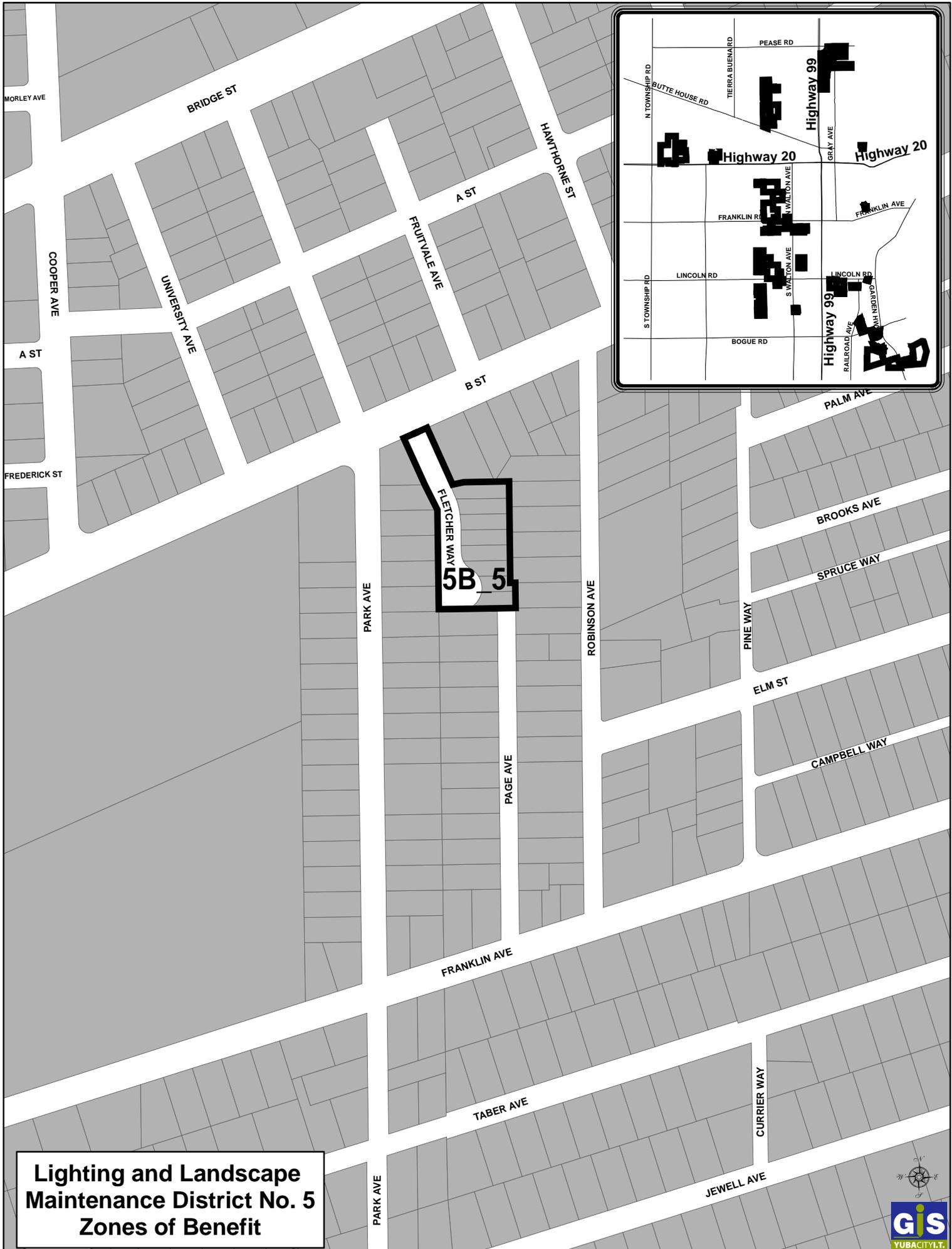




**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**

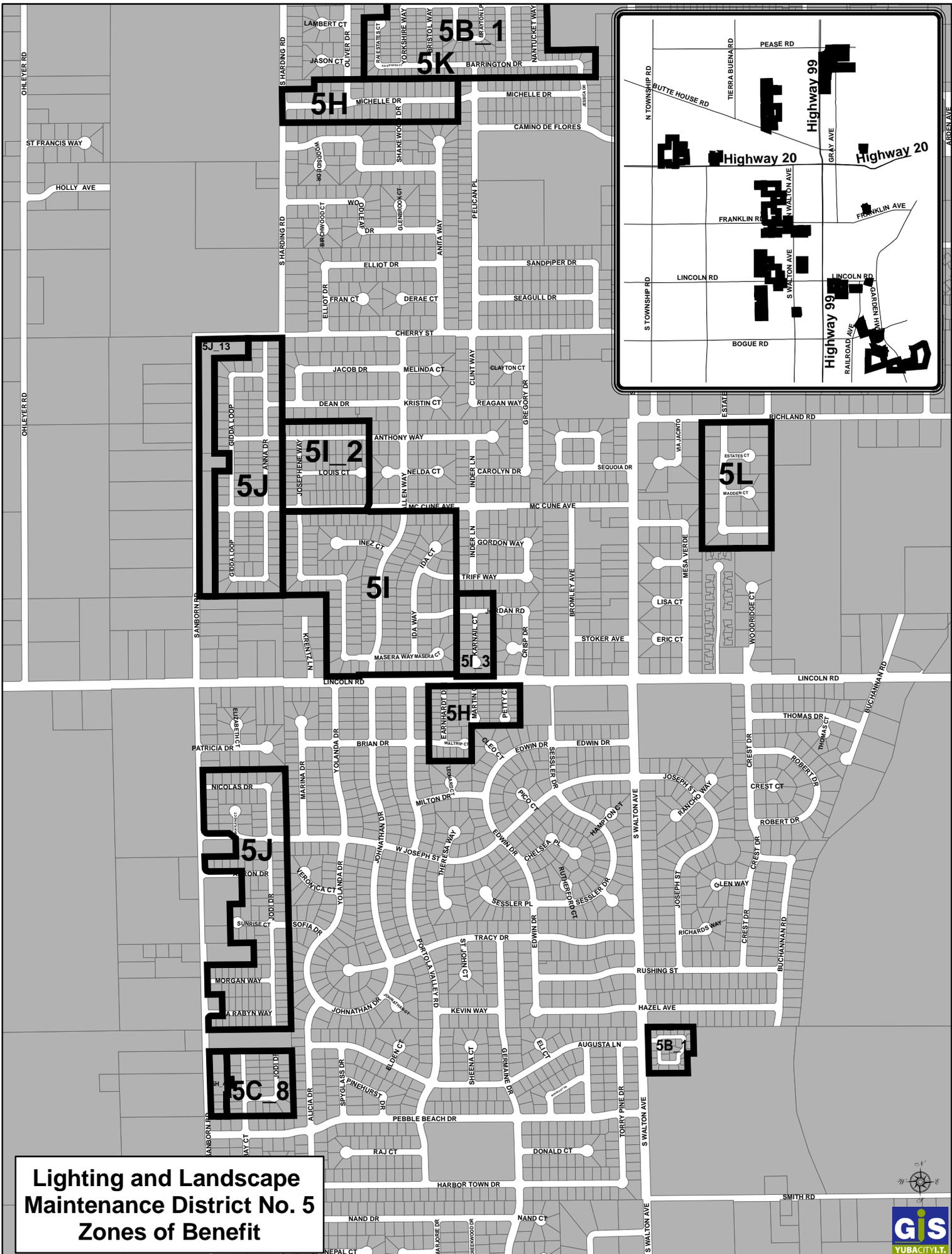




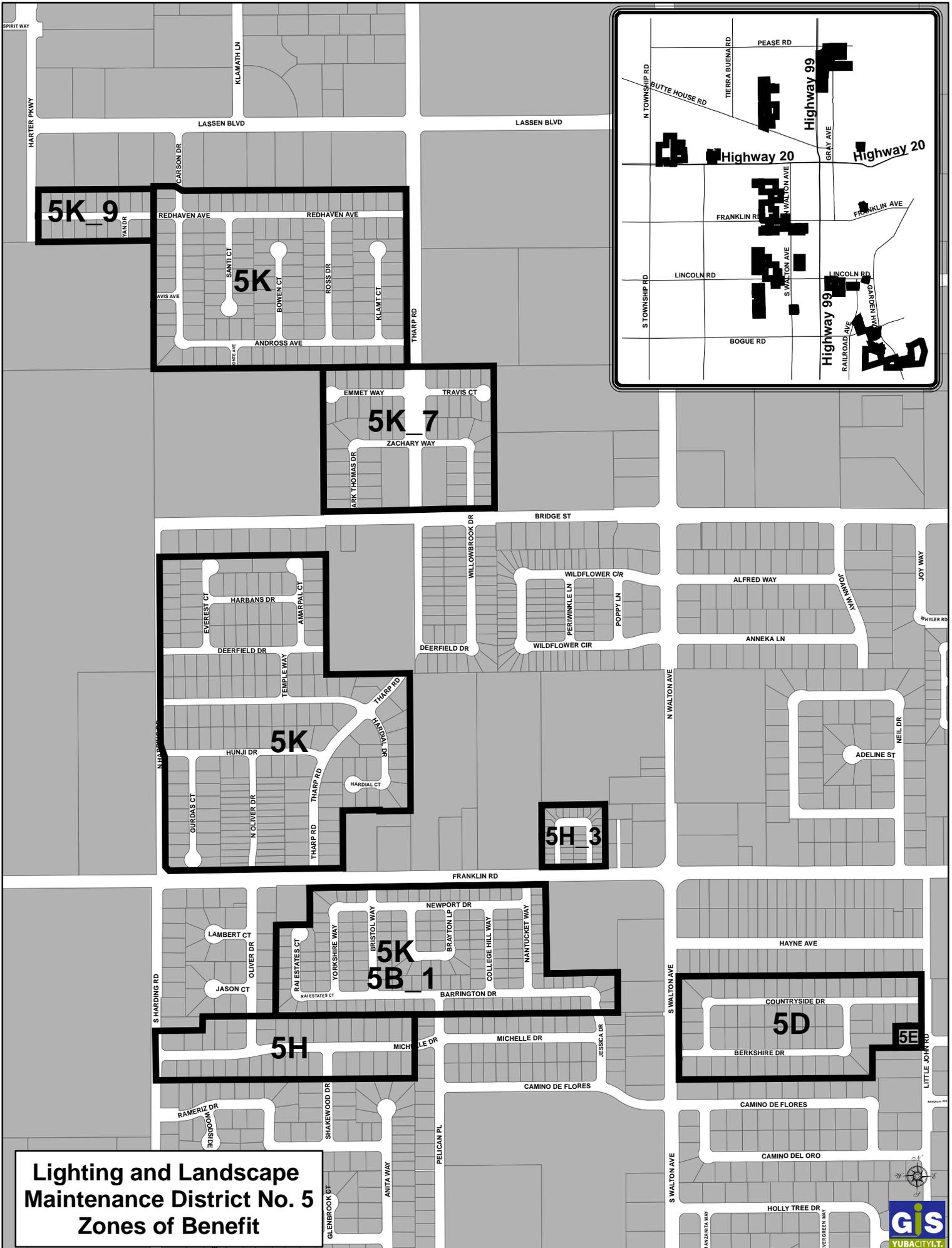


**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**



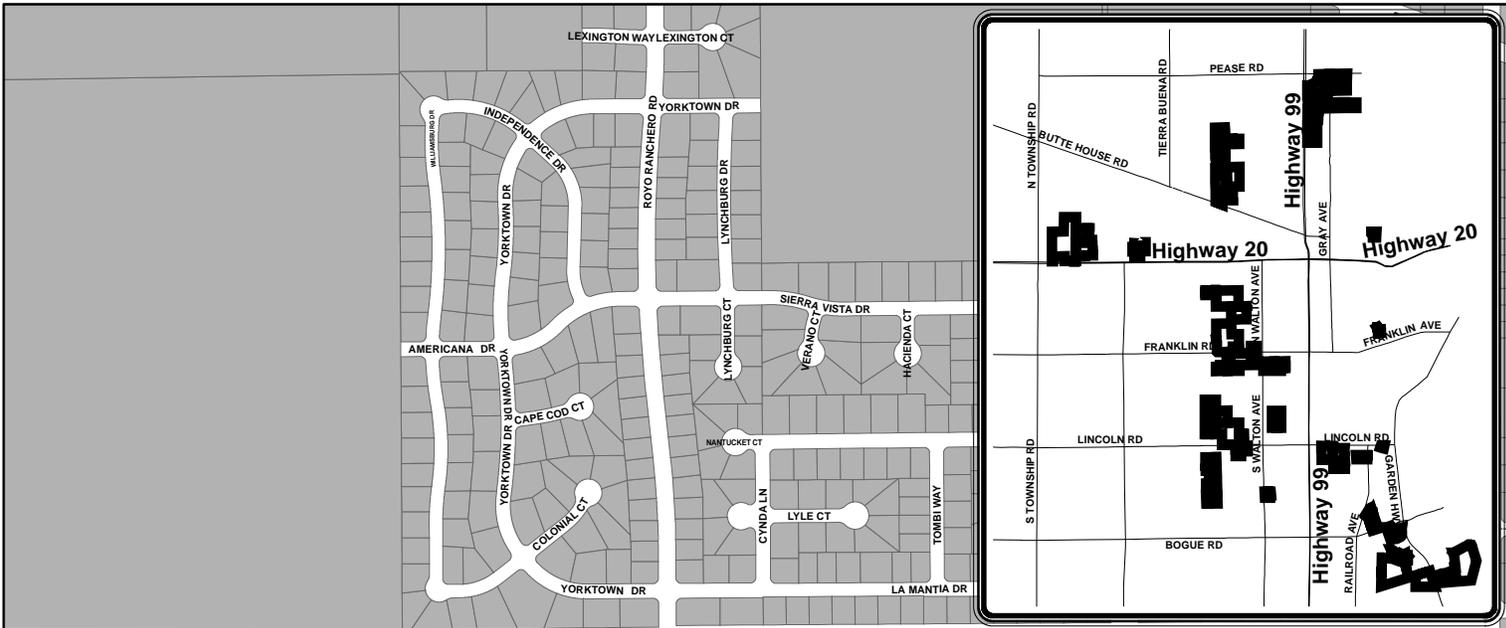


**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**



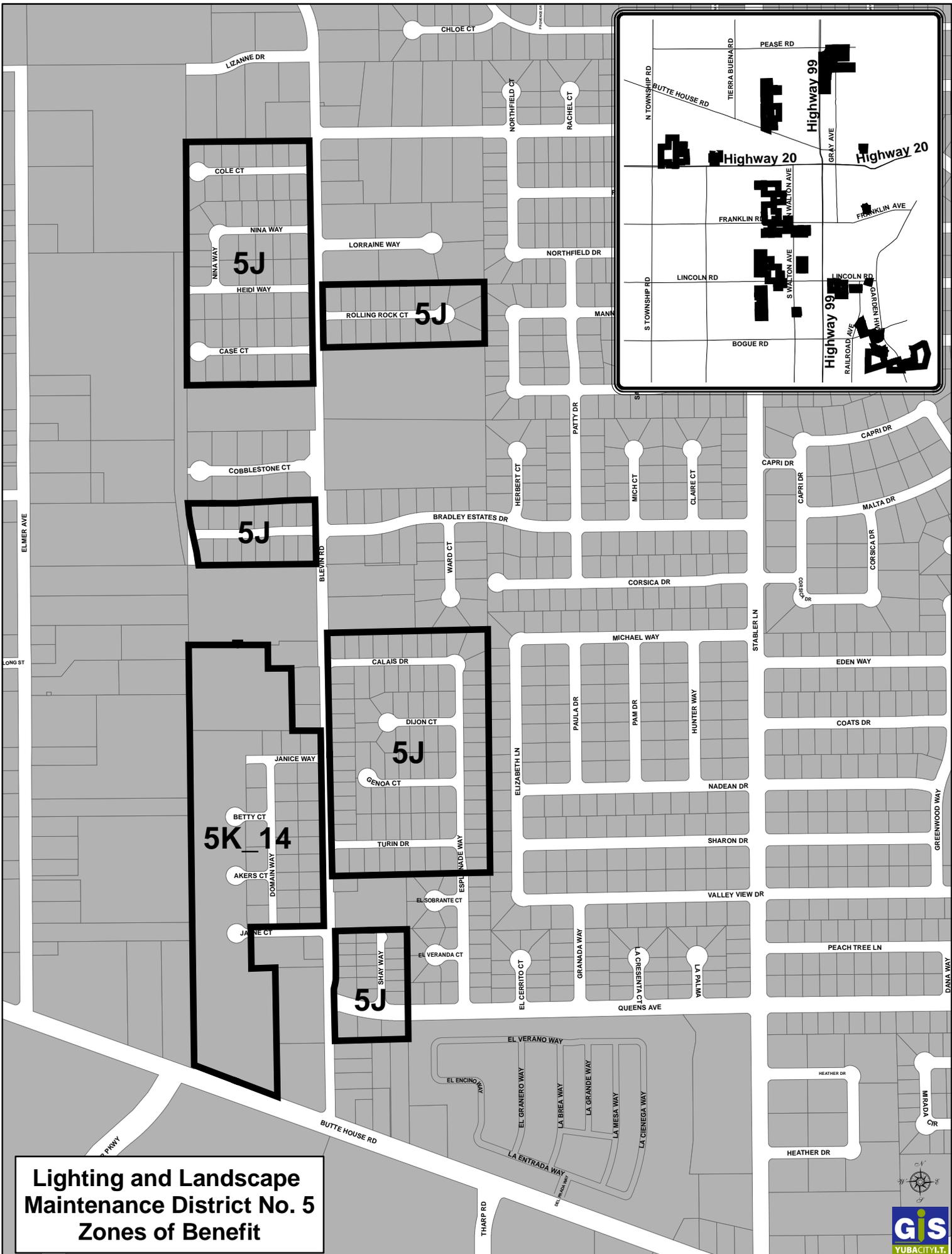
**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**





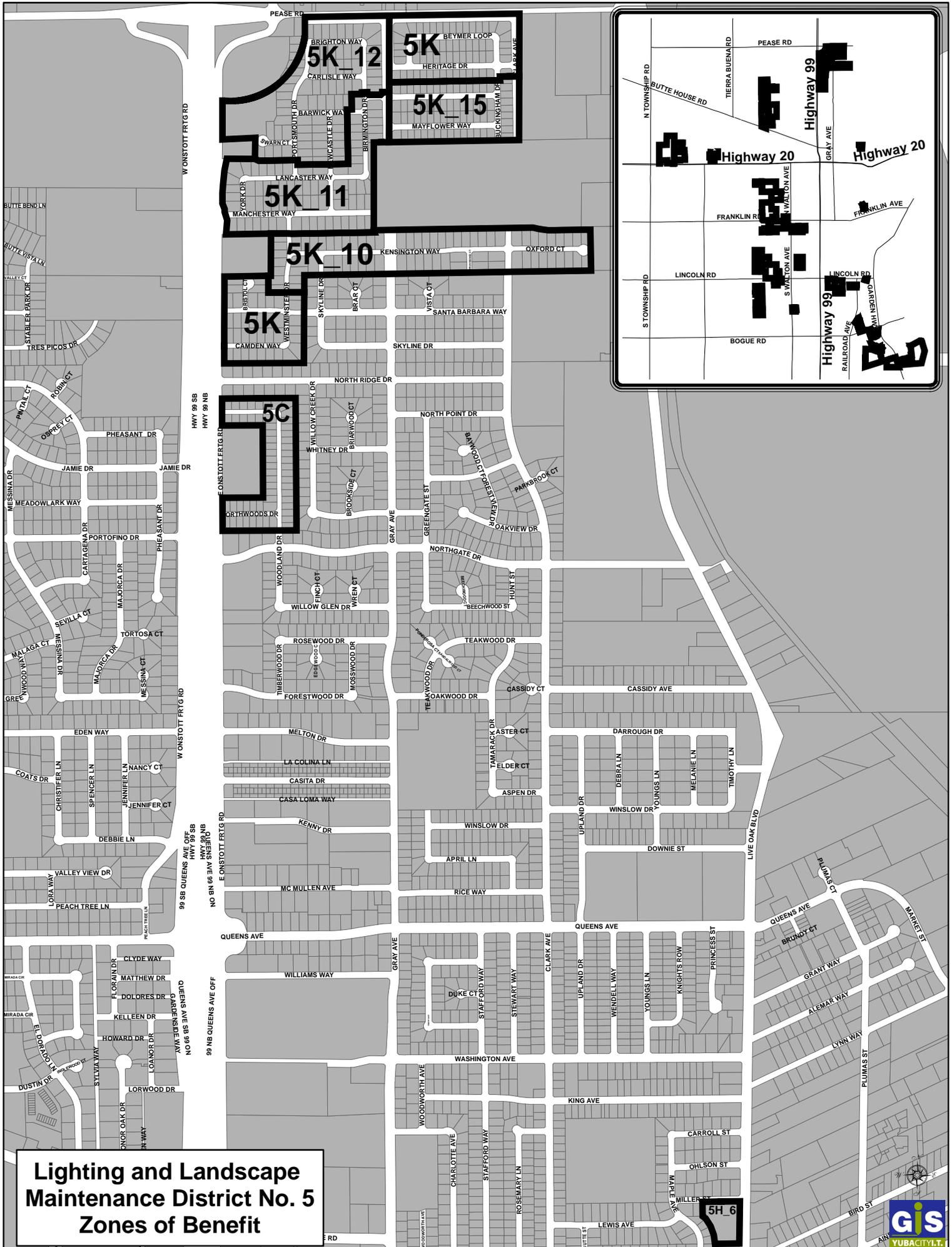
**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**



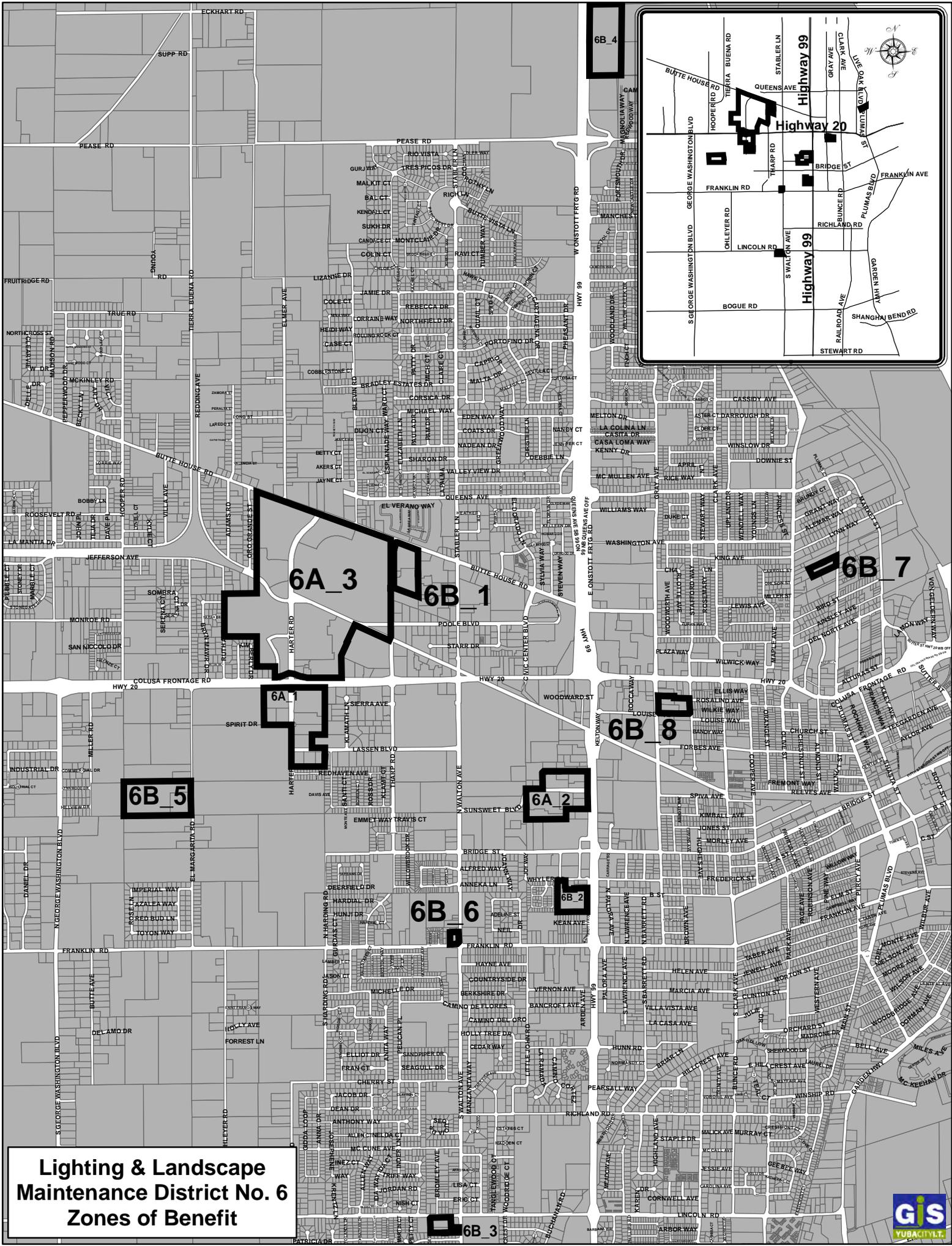


**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**





**Lighting and Landscape  
Maintenance District No. 5  
Zones of Benefit**



**Lighting & Landscape  
Maintenance District No. 6  
Zones of Benefit**



**RESOLUTION NO. 15-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY DIRECTING  
FILING OF THE ANNUAL REPORT FOR THE YUBA CITY LANDSCAPE  
MAINTENANCE DISTRICT NO. 1 (Stabler Lane/Garden Highway Area)**

(Pursuant to the Landscaping and Lighting Act of 1972)

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

WHEREAS, John Bliss, the person designated by this Council as the Engineer of  
Work for the Yuba City Landscape Maintenance District No. 1, is hereby directed to file  
an annual report in accordance with the provisions of the Landscaping and Lighting Act  
of 1972; and

WHEREAS, this resolution is adopted pursuant to Section 22622 of the Streets  
and Highways Code.

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 21<sup>st</sup>  
day of July, 2015.

AYES:

NOES:

ABSENT:

---

John Dukes, Mayor

ATTEST:

---

Terrel Locke, City Clerk

**RESOLUTION NO. 15-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY FOR THE INTENTION TO ORDER IMPROVEMENTS YUBA CITY LANDSCAPE MAINTENANCE DISTRICT NO. 1 (Stabler Lane/Garden Highway Area)**

(Pursuant to the Landscaping and Lighting Act of 1972)

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

WHEREAS, the City Council intends to levy and collect assessments within Yuba City Landscape Maintenance District No. 1. The area of land to be assessed is located in the City of Yuba City, Sutter County; and

WHEREAS, the proposed assessments for the improvements to be made in these assessment districts are for maintaining the landscaping within the subdivisions listed as follows:

**Landscape Maintenance District No. 1**

Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	North Stabler Lane affecting Greenwood Acres 1 and 4, Oak Tree Estates, Pheasant Pointe Subdivisions, Greenwood Estate Unit #7	\$56.72 per single family parcel
B	South Yuba City affecting Southland Village Unit 5, River Bend, Southwind, River Oaks, River Run, Walnut Glen, Southpoint, and River Pointe Subdivisions	\$29.50 per single family parcel
B_1	1288 Garden Highway	\$30.53

WHEREAS, in accordance with this Council's resolution directing the filing of annual reports, John Bliss with SCI Consulting Group, Engineer of Work, has filed with the City Clerk the reports required by the Landscaping and Lighting Act of 1972. All interested persons are referred to the reports 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, or may call SCI Consulting Group at (707) 430-4300; and

WHEREAS, on the 18<sup>th</sup> day of August, 2015, at the hour of 6:00 o'clock P.M., the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at City Hall, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the City Clerk is authorized and directed to give notice of hearing required by Government Code Section 6066.

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 21<sup>st</sup> day of July, 2015.

AYES:

NOES:

ABSENT:

---

John Dukes, Mayor

ATTEST:

---

Terrel Locke, City Clerk

**RESOLUTION NO. 15-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY DIRECTING  
FILING OF THE ANNUAL REPORT FOR THE YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 2, 3, 4 & 5 (Town Center and 69  
subdivisions throughout Yuba City), AND YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 6 (Commercial District)**

(Pursuant to the Landscaping and Lighting Act of 1972)

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

WHEREAS, John Bliss, the person designated by this Council as the Engineer of  
Work for the Yuba City Lighting and Landscape Maintenance Districts 2-6, is hereby  
directed to file an annual report in accordance with the provisions of the Landscaping  
and Lighting Act of 1972; and

WHEREAS, this resolution is adopted pursuant to Section 22622 of the Streets  
and Highways Code.

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 21<sup>st</sup>  
day of July, 2015.

AYES:

NOES:

ABSENT:

---

John Dukes, Mayor

ATTEST:

---

Terrel Locke, City Clerk

**RESOLUTION NO. 15-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY FOR THE INTENTION TO ORDER IMPROVEMENTS YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 2, 3, 4 & 5 (Town Center and 69 subdivisions throughout Yuba City), AND YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6 (Commercial District)  
(Pursuant to the Landscaping and Lighting Act of 1972)**

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

WHEREAS, the City Council intends to levy and collect assessments within Yuba City Lighting and Landscape Maintenance Districts No. 2-6. The area of land to be assessed is located in the City of Yuba City, Sutter County; and

WHEREAS, the proposed assessments for the improvements to be made in these assessment districts are for maintaining the landscaping and lighting within the following Zones of Benefit:

<b>Lighting and Landscape Maintenance District No. 2</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Parcels in the Town Center area fronting on Plumas Blvd., B Street, C Street, Percy Avenue, and the north side of Franklin Avenue	\$540.16

<b>Lighting and Landscape Maintenance District No. 3</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Palisades Subdivision	\$71.59

<b>Lighting and Landscape Maintenance District No. 4</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Regency Park Estates Unit 1	\$189.53
B	Regency Park Estates Unit 2	\$189.29
C	Regency Park Estates Unit 3 and Butte Vista West Estates Units 1, 2, & 3	\$189.69
D	Butte Vista Estates Units 1 & 2, Stabler Park Estates Units 1 & 2, Tres Picos Estates, and Tres Picos West Estates	\$189.83

<b>Lighting and Landscape Maintenance District No. 5</b>		
<b>Zone of Benefit</b>	<b>Area and Affected Subdivisions</b>	<b>Proposed Assessment</b>
A	South Park Village	\$90.78
B	South Park Village, Rai Estates 1 & 2, Sutter Cottages, Garden Gate Estates, Phillips Estates, and Fletcher Place	\$54.94
C	Wheeler Estates, Graystone Manor, Hillcrest Courtyard, Onstott Estates, Almond Grove Estates Units 1, 2, & 3, Walnut Glen Estates East 1 & 2, Diamond Pointe, Siena Estates, Bay Drive Estates Unit 2, and Siena Estates West	\$118.59
D	Walton Station	\$102.35
E	Walton Station (w/out street trees)	\$64.50
F	Park Vista	\$90.78
G	Park Vista (w/out street trees)	\$41.36
H	Phalla Estates, Bay Drive Estates 1, Daytona Estates, Hetherington Place, and Hampton Court	\$26.58
I	Masera Ranch Subdivision 2 and Shankar Village	\$55.74
J	Sutter Buttes Estates Units 1 & 2, North/South Butte Village, Signature Estates Unit 1, Summerhill Estates, Sanborn Place South Estates, Westbrook, Rolling Rock Estates, Westside Estates, Karnegis Estates 2	\$62.16
K	Hunji Village Units 1 & 2, Franklin Road Estates, Temple Village, Bridge Street Village, Del Monte Ranch Units 2 & 3, Bridge Street Estates, River Valley Estates, Walnut Park 1 & 2, Canterbury Estates 1-4, North Canterbury Estates 1 & 2, Teal Hollow Unit 1, and Domain Estates	\$157.61
L	Richland Ranch	\$86.59

<b>Lighting and Landscape Maintenance District No. 6</b>		
<b>Zone of Benefit</b>	<b>Area and Affected Subdivisions</b>	<b>Proposed Assessment</b>
A_1	River Valley Commercial	\$272.79
A_2	Geweke Crossing	\$272.79
A_3	Harter Specific Plan	\$272.79
B_1	La Bella Vita Development	\$438.62
B_2	Cinemark Movie Theater	\$403.02
B_3	Walgreen's	\$277.25
B_4	Yuba College	\$1,463.23
B_5	Unity Estates	\$0
B_6	Medicine Shoppe Pharmacy	\$80.62
B_7	Plumas Family Apartments	\$80.62
B_8	960 Gray Avenue	\$184.32

WHEREAS, in accordance with this Council's resolution directing the filing of annual reports, John Bliss with SCI Consulting Group, Engineer of Work, has filed with the City Clerk the reports required by the Landscaping and Lighting Act of 1972. All interested persons are referred to the reports 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, or may call SCI Consulting Group at (707) 430-4300; and

WHEREAS, on the 18<sup>th</sup> day of August, 2015, at the hour of 6:00 o'clock P.M., the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at City Hall, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the City Clerk is authorized and directed to give notice of hearing required by Government Code Section 6066.

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 21<sup>st</sup> day of July, 2015.

AYES:

NOES:

ABSENT:

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John Dukes, Mayor

ATTEST:

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Terrel Locke, City Clerk

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** Benjamin Moody, Deputy Public Works Director - Engineering

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**Summary**

**Subject:** Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Resolution of Intent

**Recommendation:**

- a. Adopt the following resolutions to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:
  - Resolution Directing Filing of Annual Report, Yuba City Residential Street Light Maintenance Districts
  - Resolution of Intention to Order Improvements, Yuba City Residential Street Light Maintenance Districts
- b. Set a public hearing for August 18, 2015, at 6:00 pm to establish assessments for FY 15/16.

**Fiscal Impact:** None.

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**Purpose:**

To initiate proceedings for the continuation of the levy of Assessments for fiscal year 2015/16 within the Residential Street Light Maintenance Districts, pursuant to the provisions of the Benefit Assessment Act of 1982 and Article XIID of the California Constitution.

**Background:**

The City annually levies and collects special assessments in order to maintain and service streetlights in the Walton Avenue area and Tierra Buena area. The Districts were formed while the areas were in the County, and the City took over the administration of the Districts when they were annexed into the City.

Prior to 2009, the Districts were historically charged the maximum levy which allowed the reserves to build up. Since 2009, Council has approved reduced assessments with the goal of reducing the reserves to a level equal to six months of operating costs. In addition, Council directed staff to levy assessments in future years at levels in which reserves will be maintained at a constant level, and the revenues will cover the expenses with minimal increases from year to year.

**Analysis:**

The Engineer’s Annual Reports have been prepared and are on file in the City Clerk’s office. They describe each District, the improvements therein, the method of assessment, and the proposed assessment for each parcel. The Resolution directing the filing of the Annual Reports and the Resolution of Intention to order improvements are required by State law to continue the Residential Street Light Maintenance Districts. The action tonight sets a public hearing for the Council meeting to be held on August 18, 2015, to establish assessments for the coming year.

**Fiscal Impact:**

The proposed assessments for the Walton Area are slightly less than fiscal year 2014/15, and the proposed assessments for the Tierra Buena area are the same as fiscal year 2014/15. The proposed levy amounts for each District are shown in Exhibit A. The City is holding more than six months of reserve for the Tierra Buena District as staff is working with PG&E to address some billing issues that may require some additional charges to the Districts in the future.

The projected revenue, expenditures, and cash balance for the Districts are as follows:

<u>District</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Projected Reserve Fund Balance as of 7/1/16</u>
Walton Area	\$74,974	\$81,359	\$40,994
Tierra Buena Area	\$46,698	\$51,629	\$64,883

**Alternatives:**

Modify the assessment amounts or cancel the Districts and find alternative funding sources to maintain the streetlights.

**Recommendation:**

a. Adopt the following resolutions to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:

- Resolution Directing Filing of Annual Report, Yuba City Residential Street Light Maintenance Districts
- Resolution of Intention to Order Improvements, Yuba City Residential Street Light Maintenance Districts

b. Set a public hearing for August 18, 2015, at 6:00 pm to establish assessments for FY 15/16.

Prepared By:

Submitted By:

*/s/ Benjamin Moody*  
Benjamin Moody  
Deputy P.W. Director, Engineering

*/s/ Diana Langley*  
Diana Langley  
Acting City Manager

Reviewed by:  
Department Head  
Finance  
City Attorney

/s/ RL

/s/ RB

/s/ TH (via e-mail)

**EXHIBIT A**

**WALTON RESIDENTIAL STREET LIGHT DISTRICT**

Affected Subdivision	Proposed Assessment (per single unit - \$)	Change From Previous Year (\$)	Maximum Levy Allowed (\$)
Bogue Ranch	33.75	(1.03)	37.00
Bogue Ranch II	54.18	(1.66)	59.40
Cypress	38.07	(1.17)	41.74
Hampton Estates I	41.57	(1.28)	45.58
Hampton Estates II	38.13	(1.16)	41.80
Kushlia Village	56.55	(1.73)	62.00
Lincoln Park 2	47.94	(1.47)	52.56
Lincoln Pointe	46.96	(1.43)	51.48
Lincoln Village 1	56.04	(1.72)	61.44
Lincoln Village 2	46.32	(1.42)	50.78
Meadowood 1	66.69	(2.05)	73.12
Meadowood 2	102.05	(3.12)	111.88
Orchard 2	57.39	(1.76)	62.92
Orchard 3	31.56	(0.97)	34.60
Ravenwood 1	49.31	(1.51)	54.06
Ravenwood 2	61.37	(1.88)	67.28
Ravenwood 3	36.85	(1.13)	40.40
Sanborn Estates	57.99	(1.78)	63.58
Sandpiper 1, 2, 3	42.25	(1.29)	46.32
Sun Valley 2	46.96	(1.43)	51.48
Sunrise Village	53.41	(1.64)	58.56
W Ranch Meadowood	61.17	(1.87)	67.06
Walton Park Estates	34.66	(1.06)	38.00
Walton Ranch	54.78	(1.68)	60.06
Woodside Village 2	61.62	(1.89)	67.56

**TIERRA BUENA RESIDENTIAL STREET LIGHT DISTRICT**

Affected Subdivision	Proposed Assessment (per single unit - \$)	Change From Previous Year (\$)	Maximum Levy Allowed (\$)
Bryn Mawr Estates 3	53.07	0	61.22
Bryn Mawr Estates 4	56.79	0	65.52
Buena Vista #1	31.24	0	36.04
Buena Vista #2	72.73	0	83.90
Butte Rancho	58.41	0	67.38
Butte View Estates	77.23	0	89.10
Country Aire	67.37	0	77.72
Kira Estates	69.41	0	80.08
Loma Vista	71.39	0	82.36
Quail Pointe Estates	77.58	0	89.50
Ranchero #2 & #3	94.40	0	108.90
Ranchero #4 & #6	42.08	0	48.54
Ranchero Estates #1	55.87	0	64.46
Ranchero Estates #5	52.06	0	60.06
Rancho De Royo #2 Ph 1	109.60	0	126.44
Rancho De Royo #2 Ph 2	56.83	0	65.56
Skyview Place	70.99	0	81.90
Stonegate Village Unit 1	51.42	0	59.32
Stonegate Village Unit 2	44.99	0	51.90
Stonegate Village Unit 3	36.04	0	41.58
Suburban Acres	42.47	0	49.00
Tara Estates	44.09	0	50.86
Teja #4	62.17	0	71.72
Walnut Acres	45.35	0	52.32

**RESOLUTION NO. 15-\_\_**

**RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS  
YUBA CITY RESIDENTIAL STREET LIGHT MAINTENANCE DISTRICT (Walton Area)  
AND RESIDENTIAL STREET LIGHT MAINTENANCE DISTRICT (Tierra Buena Area)**

(Pursuant to the Benefit Assessment Act of 1982)

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

WHEREAS, the City Council intends to levy and collect assessments within the Yuba City Residential Street Light Maintenance District (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) during fiscal year 2015-16. The area of land to be assessed is located in the City of Yuba City, Sutter County; and

WHEREAS, the proposed assessments for the improvements to be made in these assessment districts are for maintaining the street lights within the subdivisions listed as follows:

<u>Walton Area</u>	
<u>Affected Subdivision</u>	<u>Proposed Assessment (per single unit - \$)</u>
Bogue Ranch	33.75
Bogue Ranch II	54.18
Cypress	38.07
Hampton Estates I	41.57
Hampton Estates II	38.13
Kushlia Village	56.55
Lincoln Park 2	47.94
Lincoln Pointe	46.96
Lincoln Village 1	56.04
Lincoln Village 2	46.32
Meadowood 1	66.69
Meadowood 2	102.05
Orchard 2	57.39
Orchard 3	31.56
Ravenwood 1	49.31
Ravenwood 2	61.37
Ravenwood 3	36.85
Sanborn Estates	57.99
Sandpiper 1, 2, and 3	42.25
Sunrise Village	53.41

Sun Valley 2	46.96
Walton Park Estates	34.66
Walton Ranch	54.78
West Ranch and Meadowood 3	61.17
Woodside Village 2	61.62
<u>Tierra Buena Area</u>	
<u>Affected Subdivision</u>	<u>Proposed Assessment (per single unit - \$)</u>
Bryn Mawr Estates 3	53.07
Bryn Mawr Estates 4	56.79
Buena Vista 1	31.24
Buena Vista 2	72.73
Butte Rancho	58.41
Butte View Estates	77.23
Country Aire	67.37
Kira Estates	69.41
Loma Vista	71.39
Quail Pointe Estates	77.58
Ranchero 2 & 3	94.40
Ranchero 4 & 6	42.08
Ranchero Estates 1	55.87
Ranchero Estates 5	52.06
Rancho De Royo 2 Ph 1	109.60
Rancho De Royo 2 Ph 2	56.83
Skyview Place	70.99
Stonegate Village 1	51.42
Stonegate Village 2	44.99
Stonegate Village 3	36.04
Suburban Acres	42.47
Tara Estates	44.09
Teja 4	62.17
Walnut Acres	45.35

WHEREAS, in accordance with this Council's resolution directing the filing of annual reports, John Bliss with SCI Consulting Group, Engineer of Work, has filed with the City Clerk the reports required by the Benefit Assessment Act of 1982. All interested persons are referred to the reports 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, or may call SCI Consulting Group at (707) 430-4300; and

WHEREAS, on the 18<sup>th</sup> day of August, 2015, at the hour of 6:00 o'clock P.M., the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at City Hall, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the City Clerk is authorized and directed to give notice of hearing required by Government Code Section 6066.

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 21<sup>st</sup> day of July, 2015.

AYES:

NOES:

ABSENT:

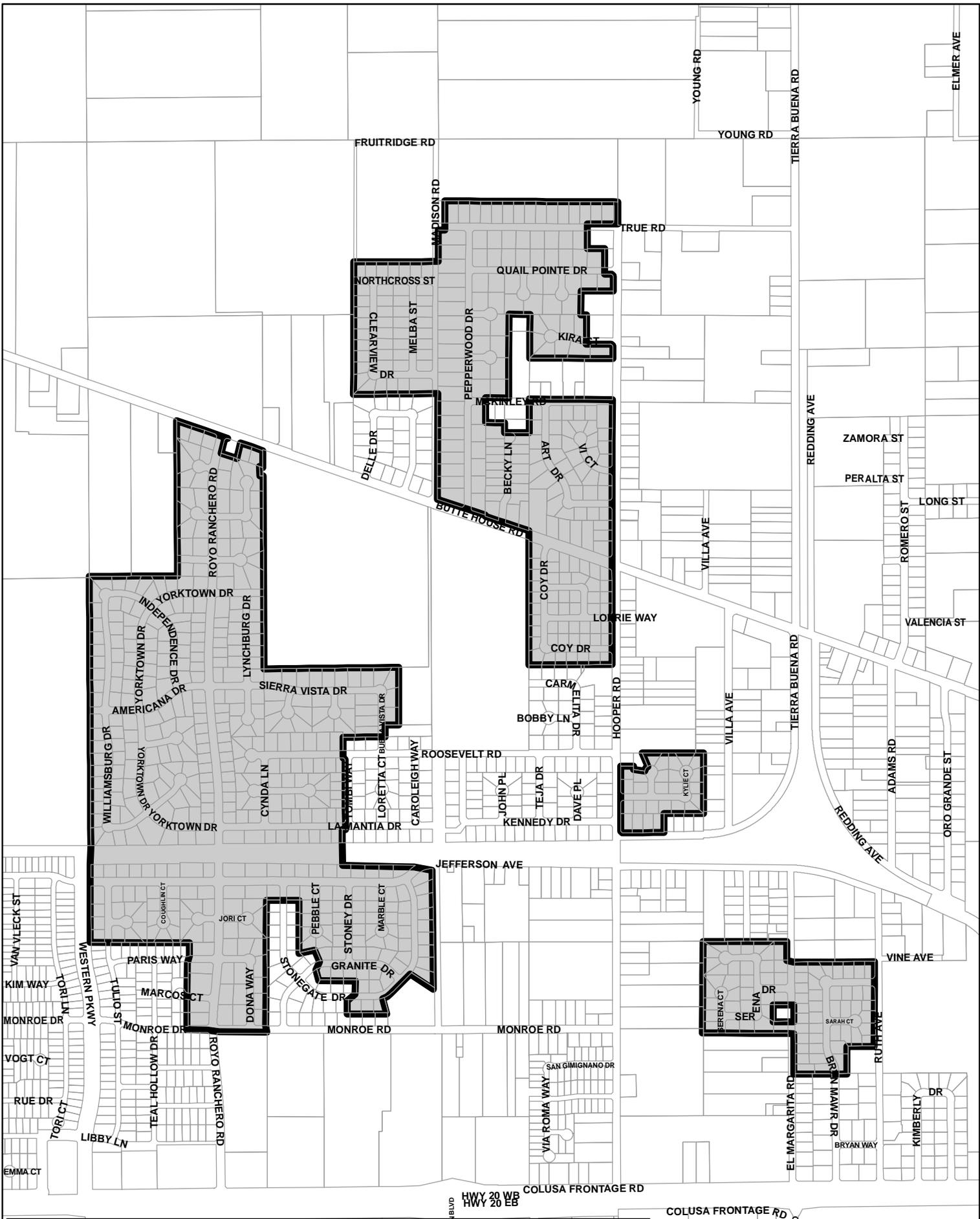
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John Dukes, Mayor

ATTEST:

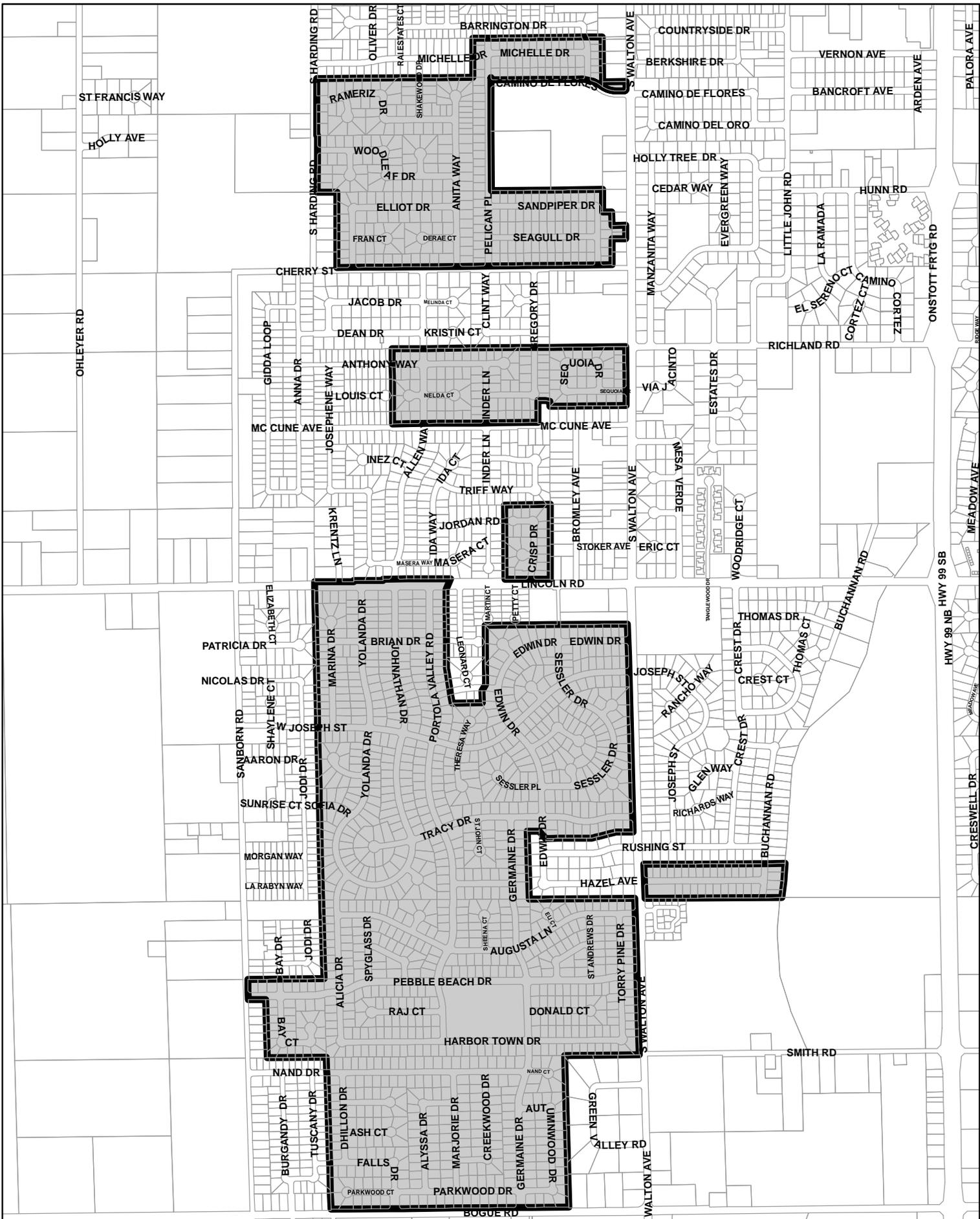
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Terrel Locke, City Clerk



**Yuba City Residential Street Light Maintenance District  
Tierra Buena Area**





**Yuba City Residential Street Light Maintenance District  
Walton Area**



CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Finance Department  
**Presentation By:** Spencer Morrison, Accounting Manager

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**Summary**

**Subject:** Fiscal Year 2015-2016 Citywide sole source and professional services purchases.

**Recommendation:** Approve citywide sole source and professional services purchases from July 1, 2015 through June 30, 2016, based on each purchase recommendation being in the best interest of the City.

**Fiscal Impact:** \$1,457,000 approximate total of all requests

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**Purpose**

Approve future citywide sole source and professional services purchases in the 2015-2016 fiscal year.

**Background:**

The purpose of this staff report is to consolidate all known future and mostly recurring staff reports for sole source and professional services purchases in the 2015–2016 fiscal year. This staff report will help streamline purchases during the year and allow City Council to have an overall knowledge of the upcoming sole source and professional services purchases.

Formal bid purchases will continue to go through the formal bid process outlined in the City's Purchasing Policies and Procedures; along with any additional sole source and professional services purchases that are not on this report.

**Analysis:****Finance Purchases:****WILLDAN FINANCIAL SERVICES** of Temecula, CA

Recommendation: Authorize staff to enter into a professional services agreement in the estimated amount of **\$55,000** for assessment district administration, continuing disclosure and arbitrage rebate reporting.

**INDEPENDENT STATIONERS** of Indianapolis, IN

Recommendation: Authorize staff to “piggyback” on US Communities contract with Independent Stationers for office supplies in the estimated amount of **\$100,000**. US Communities competitively bid the contract for office supplies.

SPILLMAN TECHNOLOGIES of Logan, UT

Recommendation: Authorize staff to sole source in the estimated amount of **\$78,000** for the annual maintenance of the City's Police CAD/RMS System. This system is a collection of software modules that integrate to form a single system. Spillman is the developer and sole distributor of their software.

SUNGARD PENTAMATION of Bethlehem, PA

Recommendation: Authorize staff to sole source in the estimated amount of **\$99,000** for the City's financial system annual maintenance and server upgrade. This system is a collection of software modules that integrate to form a single system. Pentamation is the developer and sole distributor of their software.

DELL COMPUTER SYSTEMS of Round Rock, TX

Recommendation: Authorize staff to sole source computer purchases in the amount of **\$165,000** for fiscal year 2015-16 at prices not to exceed the California Multiple Award Schedule (CMAS) contract price for Dell Computer Systems.

**Public Works Purchases:**

CALTEST of Napa, CA

Recommendation: Authorize staff to enter into a professional services agreement in the estimated amount of **\$180,000** for contracted laboratory services.

DU-ALL SAFETY of Fremont, CA

Recommendation: Authorize staff to sole source in the amount of **\$55,000** for the continued development and implementation of safety programs, employee training and compliance services.

NATIONAL METER & AUTOMATION of Santa Rosa, CA

Recommendation: Authorize staff to sole source in the estimated amount of **\$500,000** for the continued operations of the water meter reading system such as software support, water meter equipment and repair parts. National Meter is a subsidiary of Badger Meter, Inc.

POLYDYNE of Riceboro, GA

Recommendation: Authorize staff to "piggyback" on the North Bay Agency Chemical contract with Polydyne for belt press polymer in the estimated amount of **\$225,000**. North Bay Agency competitively bid the contract for chemicals.

**Alternatives:**

Direct staff to formally bid the above sole source purchases and solicit proposals for the professional services agreements.

**Recommendation:**

Approve citywide sole source and professional services purchases from July 1, 2015 through June 30, 2016, based on each purchase recommendation being in the best interest of the City.

Prepared By:

*/s/ Vicky Anderson*  
Vicky Anderson  
Administrative Analyst I

Submitted By:

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

Reviewed By:

Finance

*/RB/*

City Attorney

*/TH/ via email*

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 21, 2015  
**To:** Honorable Mayor & Members of the City Council  
**From:** Administration  
**Presentation By:** Darin E. Gale, Economic Growth & Public Affairs

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**Summary**

**Subject:** Expanded Infill development impact fee program

**Recommendation:** Adopt a resolution expanding the Infill Map, update the City's Infill Impact Fee Definition and expand the 50% impact fee reduction program for Infill Development to include all City AB 1600 Impact Fees excluding the Flood Control Fee

**Fiscal Impact:** On a multi-family residential project of 10 units the approximate Impact Fee would be \$188,390.50, which is a reduction of \$13,705 from the current Infill Fee program

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**Purpose:**

To review and amend the City's Infill Impact Fee definition

**Background:**

At the November 18, 2014 City Council meeting, the Council authorized a temporary reduced impact fees for all residential impact fee categories through the end of 2015, expanded the area that qualified for Infill Impact Fees and included multi-family residential projects in the infill definition. Staff has since determined that adjustments to the definition of infill Projects would be appropriate. As a result on June 2, 2015 Council held a workshop and directed staff to draft an updated infill impact fee for consideration

**Analysis**

Infill impact fees were originally adopted by the City Council in 2007 and provide a 50% reduction in fees for: water/sewer (pipeline only); transportation; and parks. A number of cities provide a reduction for infill development for a number of reasons including many of those listed below.

- Better utilization of existing infrastructure
- Reduces the need and expenses to expand infrastructure
- Minimizes the loss of agricultural land
- Eliminates unsightly vacant fields that attract illegal dumping and vagrancy
- Offers economic revitalization of older neighborhoods
- Land assemblage can be difficult and expensive
- Neighborhood concerns require costly mitigation due to perceived incompatible uses

In 2007 Infill projects were identified as projects located within the City's former Redevelopment boundaries. The purpose for using a location map versus a formal definition for Infill was that there are a variety of factors that contribute to a project being considered Infill that may not always be met. By utilizing the former Redevelopment boundary, it was assumed that projects within that boundary qualified as Infill projects since there was already city infrastructure and services in those locations. The challenge with this approach is that the former Redevelopment boundary does not capture all areas within the community that could be considered Infill.

To accommodate this type of occurrence, staff is recommending a modification to the Infill provision for impact fees. Staff recommends expanding the Infill Map as proposed in Attachment B which was formed based upon reviewing current development and land uses and including the following Infill Property Definition.

Infill Property Definitions  
(Proposed)

1. Land that was bypassed by suburban development and remains vacant or under-utilized  
and
  - A. The property has readily available access to City utilities
  - B. Seventy-Five percent of its adjacent properties are developed
  - C. The properties is not within a specific plan (except the Central City Specific Plan) or master plan or is not anticipated to be within a specific plan or master plan per City Council Resolution 05-049
  - D. All development and/or reimbursement agreements are properly executed and funded
  - E. The property is located within the boundaries of the adopted infill map

Currently Infill Development receives a 50% reduction for Roads, Parks and the line portion of Sewer and Water Fees. As part of this review the City reviewed all City AB 1600 Impact Fees and staff proposes the City reduce all AB 1600 Impact Fees 50% except the City's Flood Control fee. This proposal includes a reduction in all of the following AB 1600 fee categories: Roads, Parks, Police, Fire, Civic Center, Corporation Yard and Library. The City met with the Sutter Butte Flood Control Agency (Agency) and they requested the City not reduce the Flood Control fee. The Agency is currently still pursuing funding to complete the West Feather River Levee Improvement project and a reduction could put into jeopardy grant funding.

**Fiscal Impact:**

On a multi-family residential project of 10 units the approximate Impact Fee would be \$188,390.50, which is a reduction of \$13,705 from the current Infill Fee program

**Recommendation:**

Adopt a resolution expanding the Infill Map, update the City's Infill Impact Fee Definition and expand the 50% reduction fee impact program for Infill Development to include all City AB 1600 Impact Fees excluding the Flood Control Fee

**Alternative Recommendations:**

1. Expand Infill Map and Infill Impact Fee Definition but do not include the additional AB 1600 Impact Fees

2. Expand the Infill Map to include all properties within the current City limit, update the City's Infill Impact Fee Definition and expand the program to include all City AB 1600 Impact Fees excluding the Flood Control Fee

**Attachments**

- A. Resolution
- B. Expanded Infill Boundary Map
- C. Multi-Family Infill Impact Fee Calculation

Prepared By:

*/s/ Darin Gale*

Darin Gale  
Economic Growth and Public Affairs

Submitted By:

*/s/ Steven C. Kroeger*

Steven C. Kroeger  
City Manager

Reviewed By:

Finance

City Attorney

*/s/RB*

*/s/TH (e-mailed)*

**RESOLUTION NO. \_\_**

**A RESOLUTION AUTHORIZING AN EXPANDED INFILL IMPACT FEE  
DEFINITION FOR RESIDENTIAL MULTI-FAMILY RESIDENTIAL UNITS**

**WHEREAS**, the City Council approved an Infill Impact Fee Definition on October 16, 2007; and,

**WHEREAS**, the City Council approved an expanded Infill definition on November 18, 2014 to include both single family and multi-family projects and expanded the boundaries of Infill Map to include properties outside the City's former Redevelopment Agency; and,

**WHEREAS**, Infill development better utilizes existing infrastructure and reduces the need and expense of expanding infrastructure; and

**WHEREAS**, Infill development minimizes the loss of agricultural land and eliminates unsightly vacant and blighted properties; and

**WHEREAS**, the Council desires to refine the Infill definition and expand the Infill Map to encourage infill development; and

**WHEREAS**, the City of Yuba City expects this new definition will result in job retention and new secondary commerce throughout the community as a result of boundaries of the new infill development and construction activity stimulated by the fee reduction.

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

**SECTION 1.**

- A. The expanded Infill Map as described in the attached Attachment B is hereby adopted.
- B. And such projects must meet the following criteria:
  - a. The property has readily available access to City utilities
  - b. Seventy-Five percent of its adjacent properties are developed
  - c. The properties is not within a specific plan (except the Central City Specific Plan) or master plan or is not anticipated to be within a specific plan or master plan per City Council Resolution 05-049
  - d. All development and/or reimbursement agreements are properly executed and funded
  - e. The property is located within the boundaries of the adopted Infill Map

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 21<sup>st</sup> day of July, 2015:

AYES:

NOES:

ABSENT:

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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**