



AGENDA
OCTOBER 20, 2015
REGULAR MEETING
CITY COUNCIL
CITY OF YUBA CITY

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

MAYOR	• John Dukes
VICE MAYOR	• John Buckland
COUNCILMEMBER	• Stanley Cleveland, Jr
COUNCILMEMBER	• Preet Didbal
COUNCILMEMBER	• Kash Gill
CITY MANAGER	• Steven Kroeger
CITY ATTORNEY	• Timothy Hayes

1201 Civic Center Blvd
Yuba City CA 95993

Wheelchair Accessible



*If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4817 at least 72 hours in advance so such aids or services can be arranged. **City Hall TTY: 530-822-4732***

**AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
OCTOBER 20, 2015
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net subject to staff's availability to post the documents before the meeting.

Public Comment:

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

Closed Session—Butte Room

- A. Confer with labor negotiators Steve Kroeger and Natalie Walter regarding negotiations with the following associations: Yuba City Firefighters Local 3793 and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code.
- B. Confer with legal counsel regarding potential (or anticipated) litigation pursuant to Government Code Section Government Code Section 54956.9 (d) (2) –one potential case.

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. **Presentation to Local 'Women of the Year' Honorees**
- 2. **Sutter-Yuba Master Gardeners Proclamation**

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

Public Hearing

5. California Citizens' Option for Public Safety (COPS) Funding 2015-2016

Recommendation: Adopt a Resolution authorizing the Chief of Police to accept the FY 2015/2016 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary [Approximately \$100,000]

Bid Award

6. Bike Lane Striping Improvement Project (Award)

Recommendation: A) Award Contract No. 15-02, Bike Lane Striping Improvement, to Chrisp Company of Fremont, CA in the amount of their bid of \$128,188
B) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney
C) Authorize the City Finance Director to make necessary budget adjustments to transfer \$10,000 from CIP account 921027 (Traffic Signals) to 921170 (Bike Lane Striping Upgrades – Right Turn Conflicts)

Ordinance

7. Amend Tobacco-Free Ordinance to Include the Prohibition of Electronic-Cigarettes

Recommendation: Adopt an Ordinance Amending Tobacco-Free Ordinance 9-2.23 of the Yuba City Municipal Code to Include the Prohibition of Electronic-Cigarettes and waive the second 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

8. Minutes of October 6, 2015

Recommendation: Approve the City Council Meeting Minutes of October 6, 2015

9. Dissolution of the Yuba City Area Joint Recreation Authority

Recommendation: Adopt a Resolution authorizing the dissolution of the Yuba City Area Joint Recreation Authority

10. Pavement Striping Project – 2015 (Plans & Specifications)

Recommendation: Adopt a Resolution approving the plans and specifications for the Striping Project – 2015 and authorizing advertisement for bids on the project. (Engineer's Estimate - \$65,000)

11. Amendment of Professional Services Agreement with WaterSmart Software, Inc., for Continued Implementation of a Water Conservation Program

Recommendation: Authorize the City Manager to amend the existing Professional Services Agreement between the City of Yuba City and WaterSmart Software, Inc., of Tiburon, CA, for implementation of a water conservation program for an additional year in the amount of \$63,537 with the finding that it is in the best interest of the City

12. Human Resources Technician

Recommendation: Adopt a Resolution authorizing the conversion of one (1) limited-term Human Resources Technician I/II position to a regular full-time position

General Items

13. Public Employees' Union Local #1 Memorandum of Understanding (MOU)

Recommendation: A) Adopt a Resolution approving a Memorandum of Understanding with Public Employees' Union Local #1
B) Approve a supplemental appropriation of \$461,700 to the FY 2015/2016 adopted budget

14. Agreement to Negotiate Exclusively with Coldwell Banker/Mr. Karm Bains with Regard to City-Owned Property, Former Fire Station 4 and Adjacent Residential Property

Recommendation: Authorize the City Manager to execute and implement an Agreement to Negotiate Exclusively with Coldwell Banker/Mr. Karm Bains with regard to City-Owned property, former Fire Station 4 and adjacent residential property, to be used for the future development (APN 57-150-050 and 57-150-004).

15. South Walton Area Traffic Improvements

A) Adopt a Resolution approving the installation of stop signs to create a three-way stop at the intersection of Harbor Town Drive and Portola Valley Drive and four-way stops at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

A) Adopt a Resolution approving the installation of pedestrian crosswalks at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Drive
- Sessler Drive and Joseph Street

16. Assembly Republican Caucus Nine-Point Transportation Funding Plan

Recommendation: Authorize the Mayor to sign a letter of support of the California Assembly Republican Caucus Nine-Point Transportation Funding Plan

17. Clarification of Infill Fee Program for both Residential and Non-Residential Uses

Recommendation: Adopt a Resolution establishing an Infill Fee Reduction Matrix to identify each development category and if they qualify for the Infill Fee Program

18. Sutter Buttes Local Government Energy Partnership

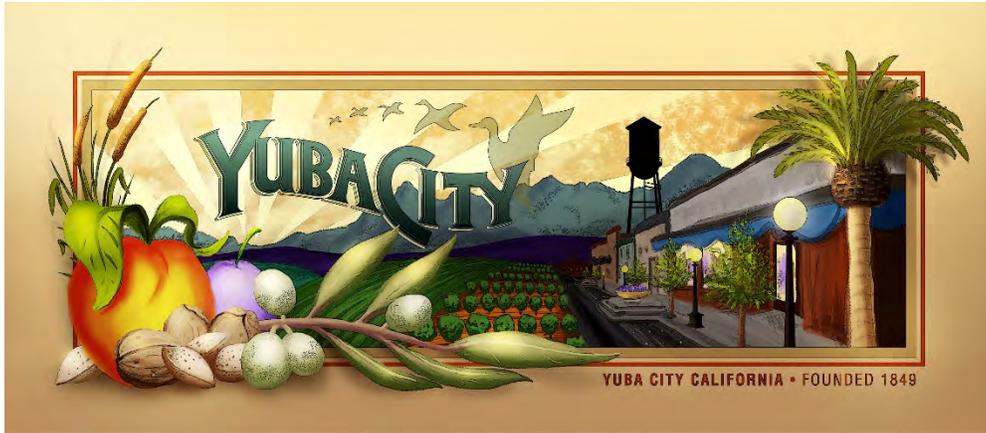
Recommendation: Authorize the City Manager to sign the appropriate contracts with PG&E to receive funding for the Sutter Buttes Energy Partnership, award a professional services agreement to ConSol not to exceed \$150,000 and authorize the Finance Director to record a supplemental appropriate in the amount of \$200,000 to accounts 212-4720 and 6810-627 with the finding that it is in the best interest of the City

Business from the City Council

19. City Council Reports

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

Adjournment



Yuba City Women Honored As Women of the Year

Seven outstanding Yuba City women have been recognized by Congressman Garamendi’s “Women Initiative Network” as our local Women of the Year.

“We’re identifying and celebrating women who are outstanding leaders, women who have contributed to the betterment of their communities,” Garamendi said. “The women we honor today come from many backgrounds. Some are mentors in their profession. Others are tireless volunteers for charity. Every single one has made a real difference and transformed lives.”

Congratulations to these outstanding Leaders in our community!

Preet Didbal	City Councilmember
Joanne Ellis	Yuba-Sutter Gleaners Food Bank and Thrift Store
Margaret Fernandez	Alliance for Hispanic Advancement
Barbara LaVake	County Supervisor
Norma Montna	Advocate For Persons with Disabilities
Liesl Schmidt	Soroptimist Girls on the Run
Cherie Stephens	Yuba City Walk for Alzheimer’s

Yuba-Sutter

Master

Gardeners



CITY OF YUBA CITY

Written Requests

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

Procedure

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

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

Or email to:

Terrel Locke, City Clerk

tlocke@yubacity.net

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

CITY OF YUBA CITY

Appearance of Interested Citizens

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

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

- For Items on the Agenda

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

- Items not listed on the Agenda

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

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Police Department
Presentation By: Robert D. Landon, Chief of Police

Summary

Subject: California Citizens' Option for Public Safety (COPS) Funding 2015-2016

Recommendation: Adopt a Resolution authorizing the Chief of Police to accept the FY 2015/2016 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary [Approximately \$100,000]

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

Purpose:

Authorize and approve expenditure recommendations for approximately \$100,000 in Public Safety Grant Funding.

Background:

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

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

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

Analysis:

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

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

This year we would also like to utilize some of the money to purchase Automated License Plate Readers. This equipment will allow us to more readily locate and prevent motor vehicle thefts, through the use of technology. The license plate readers will allow us to rapidly check vehicles to ensure they are not stolen, in a much more efficient and effective manner. Our desire is to purchase at least one fixed location and one mobile location (vehicle mounted) to utilize within the City of Yuba City. We are also investigating the purchase of a front gate card access to the Police Department, similar to the ones located at the City Hall entrances. This would allow greater security to the YCPD parking lot and the sensitive equipment located within the fenced confines of the PD. Our current touch pad is outdated and restrictive in resetting passwords at regular intervals. By utilizing the card access, control will be limited to those with City access cards and the need to utilize our facility.

Fiscal Impact:

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

Alternatives:

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

Recommendation:

Adopt a Resolution authorizing the Chief of Police to accept the FY 2015/2016 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary.

Note: Public Hearing notification requirements have been met.

Prepared By:

Robert D. Landon
Robert D. Landon
Chief of Police

Submitted By:

Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING RECEIPT, ALLOCATION AND EXPENDITURE, OF THE FY
2015-2016 STATE OF CALIFORNIA CITIZENS' OPTION FOR PUBLIC
SAFETY GRANT (COPS GRANT)**

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

That the City, through the Chief Financial Officer and the Chief of Police, accept, account for, track, allocate and expend as directed the FY 15/16 California Citizens' Option for Public Safety Grant. It is acknowledged the Citizens' Option funding would be in the amount of approximately \$100,000. It is recognized there is no cash match requirement.

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

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

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

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

Ayes:

Noes:

Absent:

John Dukes, Mayor

Attest:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015

To: Honorable Mayor & Members of the City Council

From: Public Works Department

Presentation by: Benjamin Moody, Deputy Public Works Engineering Director

Summary

Subject: Bike Lane Striping Improvement Project (Award)

Recommendation: A) Award Contract No. 15-02, Bike Lane Striping Improvement, to Chrisp Company of Fremont, CA in the amount of their bid of \$128,188

B) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney

C) Authorize the Finance Director to make necessary budget adjustments to transfer \$10,000 from CIP account 921027 (Traffic Signals) to 921170 (Bike Lane Striping Upgrades – Right Turn Conflicts)

Fiscal Impact: \$147,416.20 – Account No. 921170 (Bike Lane Striping Upgrades – Right Turn Conflicts), specified as follows:

\$128,188.00 – contract award amount

\$ 12,818.80 – 10% construction contingency (921170-65504)

\$ 6,409.40 – 5% construction management

Purpose:

Award a contract to construct the Bike Lane Striping Improvement Project to eliminate right turn conflicts with bicyclists at intersections.

Background:

The City has received \$115,700 in federal funding through the Highway Safety Improvement Program (HSIP), to revise the striping at various intersections in the City to address right turn bicycle conflicts. HSIP funds have a minimum local match requirement of 10.00%.

The project will remove existing striping, shift vehicle lane alignment, place new striping, and modify traffic signal detector loops to provide for bicycle detection. The following intersections will be improved with this project:

- Queens Avenue at Live Oak Boulevard
- Queens Avenue at Blevin Road
- Butte House Road and Stabler Lane
- Butte House Road and Civic Center Boulevard
- Butte House Road and Yuba Plaza

- Clark Street and B Street
- Franklin Avenue and Clark Ave
- Percy Avenue and Garden Highway
- Richland Road and Bunce Road
- Richland Road and Railroad Avenue
- Lincoln Road and Walton Avenue
- Shanghai Bend Road and Garden Highway

Council approved the plans and specifications on September 1, 2015.

Analysis:

The Bike Lane Striping Improvement Project was advertised for bid on September 14, 2015. Plans and specifications were provided to local builder/contractor exchanges and two contractors through the bid period. On October 6th, one bid was received and opened in the City Clerk’s office.

<u>Company</u>	<u>Bid Amount</u>
Chrisp Company	\$128,188.00
<i>Engineer’s Estimate</i>	<i>\$136,085.00</i>

Chrisp Company of Fremont, CA provided a responsive bid and, being the only bidder, is considered the low bidder for the project. Staff submitted and received approval from Caltrans for a “Request for Approval of Cost-Effectiveness/Public Interest Finding” as is required when competition is deemed inadequate after bidding on federally funded projects. The lack of bids for this project is attributed to the type of work, requiring a striping company to be a prime contractor with sub-contractors and the necessity for multiple mobilizations which contribute to a low potential for profitability for bidding contractors.

Contract administration and inspection of the project is to be performed by Public Works Department staff. Project construction is expected to begin in November and be completed by mid-December, weather permitting.

Fiscal Impact:

The contract amount is \$128,188.00. Staff is requesting a 10% contingency amount of \$12,818.80 for a total construction amount of \$141,006.80. With construction engineering and management, the total project cost is expected to be approximately \$147,416.20. The HSIP funding provides \$115,700 for the project at a 90% match.

CIP Account No. 921170 (Bike Lane Striping Upgrades – Right Turn Conflicts) currently has \$140,000 available for this project. Staff is requesting a budget transfer of \$10,000 from the Traffic Signal CIP account (921027) to the Bike Lane Striping Upgrades – Right Turn Conflicts CIP account (921170) in order to cover the anticipated total project costs. Traffic Signal funds are being utilized for the traffic signal modifications to install or replace bicycle and vehicle detection equipment.

The City will be required to temporarily fund the entire project cost until federal reimbursements have been received.

Alternatives:

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

Recommendation:

- a. Award Contract No. 15-02, Bike Lane Striping Improvement Project, to Chrisp Company of Fremont, CA in the amount of their bid of \$128,188.
- b. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
- c. Authorize the Finance Director to make necessary budget adjustments to transfer \$10,000 from CIP account 921027 (Traffic Signals) to 921170 (Bike Lane Striping Upgrades – Right Turn Conflicts).

Prepared by:

Manu Dhaliwal

Manu Dhaliwal
Assistant Engineer

Submitted by:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

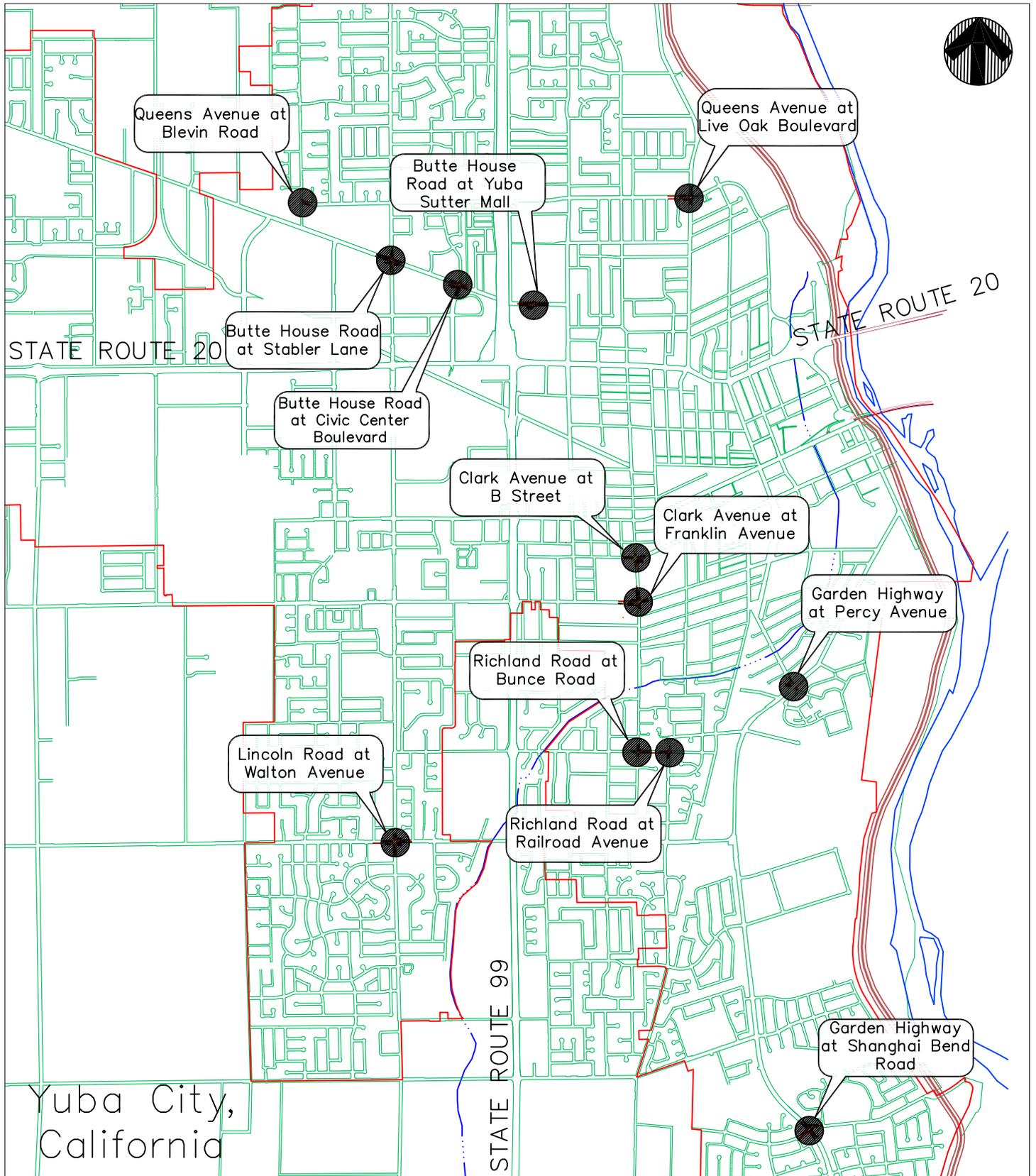
RB

City Attorney

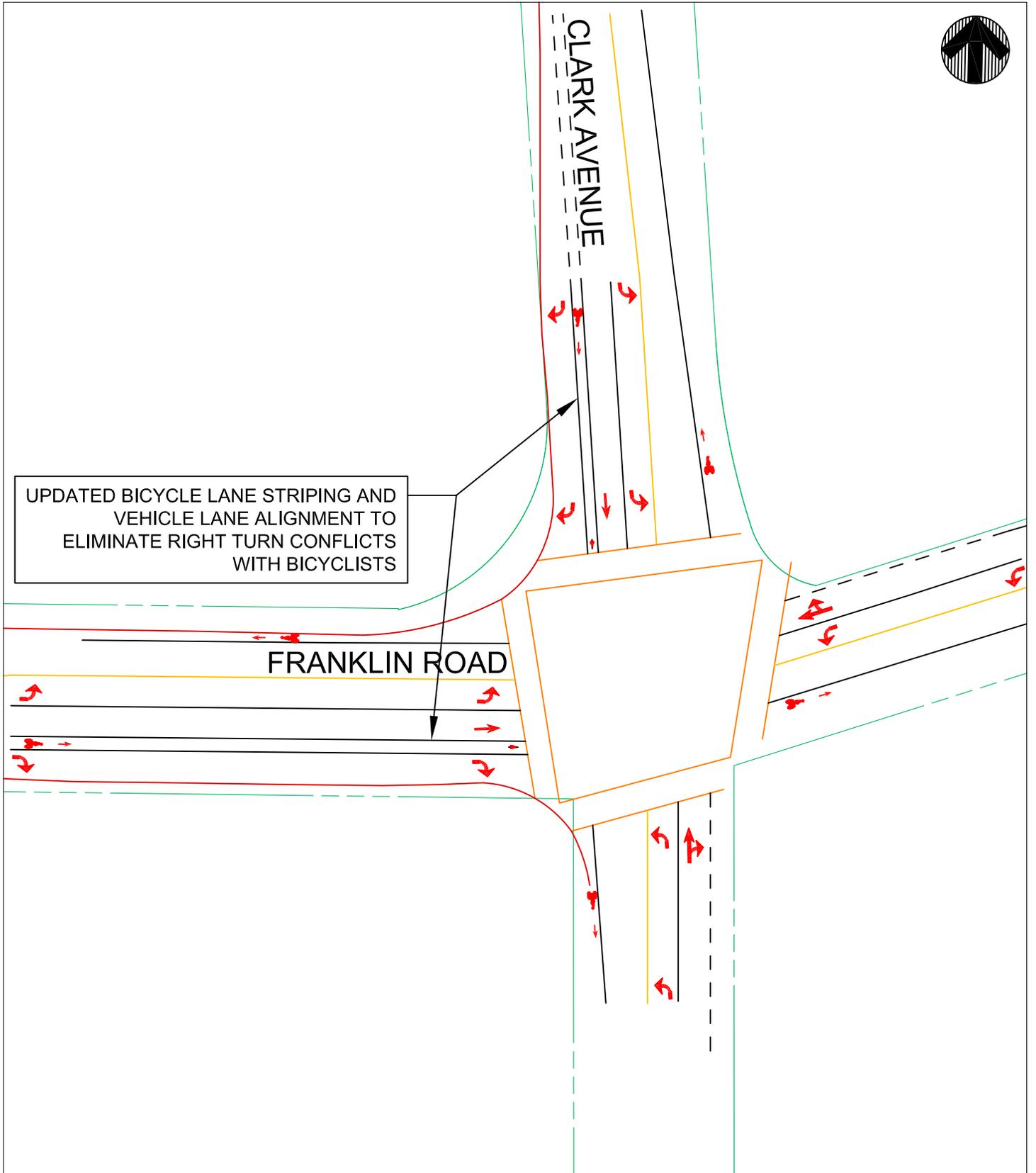
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EXHIBIT A – PROJECT VICINITY MAP BIKE LANE STRIPING IMPROVEMENT PROJECT

SCALE 1" = 3000'



BIKE LANE STRIPING IMPROVEMENT PROJECT FRANKLIN ROAD AND CLARK AVENUE ELIMINATING RIGHT TURN CONFLICTS



CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Parks and Recreation Commission
Presentation By: Brad McIntire, Community Services Director

Subject: Amend Tobacco-Free Ordinance to Include the Prohibition of Electronic-Cigarettes.

Recommendation: Adopt an Ordinance Amending Tobacco-Free Ordinance 9-2.23 of the Yuba City Municipal Code to Include the Prohibition of Electronic-Cigarettes and waive the second reading

Fiscal Impact: \$2,500 to update signage at all City parks and facilities

Purpose:

Amend the current Tobacco-Free Ordinance to include the prohibition of Electronic-Cigarettes.

Background:

In March 2008, City Council enacted an Ordinance designating Gauche Aquatic Park as a tobacco-free park. In the first year of implementation, staff did not experience negative issues or situations with the public as it relates to enforcing the Ordinance.

In May 2009, the Yuba City Parks and Recreation Commission was approached by the Substance Abuse Steering Coalition (a group of local citizens and professionals in the Tri-County area who promote a healthy substance abuse free environment for all) who requested the Parks and Recreation Commission to consider prohibiting the use of tobacco at all City Parks and within 50 feet of any public entrance into a City owned or leased facility.

In October 2009, City Council adopted an Ordinance prohibiting tobacco use in all City Parks and within 50 feet of any public entrance into a City owned or leased facility.

On June 17, 2015, the Substance Abuse Steering Coalition requested the Parks and Recreation Commission to consider a proposal to amend the current tobacco-free Ordinance to include the prohibition of all Electronic Nicotine Delivery Devices.

On July 29, 2015, the Parks and Recreation Commission held a special meeting and voted to accept the proposal. A local physician spoke in favor of the proposed Ordinance and received no opposition from members of the public.

Analysis:

“E-Cigarette” or “Electronic-Cigarette” is defined as any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, hookah pen or under any other product name or description.

According to World Health Organization (WHO), “evidence shows that e-cigarette aerosol is not merely ‘water vapor’ as is often claimed in the marketing of these products. While they are likely to be less toxic than conventional cigarettes, e-cigarette use poses threats to adolescents and fetuses of pregnant mothers using these devices. E-cigarettes also increase the exposure of non-smokers and bystanders to nicotine and a number of toxicants.”

The use of e-cigarettes is a relatively recent trend that has gained significant popularity. “Most e-cigarettes are manufactured to look like conventional cigarettes, cigars, or pipes. Some resemble everyday items such as pens and USB memory sticks [see attachment]. It is not known whether e-cigarettes may lead young people to try other tobacco products, including conventional cigarettes, which are known to cause disease and lead to premature death.” (U.S. Food and Drug Administration) The recent rise of e-cigarette use among youth, the availability of e-cigarettes in kid-friendly flavors, and the entry of major tobacco companies into the e-cigarette market have raised additional concerns about these products and their appeal to young people.

Additional findings are as follows:

- As of January 2002, California Health and Safety Code section 104495 prohibits the smoking of any cigarette, cigar or other tobacco-related products within 25 feet of a tot lot sandbox area at a park or recreational area specifically designated to be used by children, that has play equipment installed; is located on public or private school grounds; or on city, county or state park grounds.
- Outdoor smoking Ordinances are designed to be self-enforcing. When communities pass these types of policies, they do not intend for police officers to spend their time searching for people smoking in public places. Rather, the expectation is that through education and signage, residents will become aware of the smoking restrictions and most individuals who smoke will obey the law. If someone does smoke in a restricted area, other people are likely to ask the individual to stop and inform them of the restrictions.
- There are over 74 municipalities within the state of California who have amended laws related to entryways and/or city owned/operated facilities to also include electronic nicotine devices. Local agencies that have amended previous tobacco free laws to include the prohibition of e-cigarettes include the City of Davis, City of Woodland, City of Orland and Town of Paradise.

In promoting health and wellness and facilitating community problem solving, Staff believes it is in the best interest of the City to amend the Tobacco-Free Ordinance to include Electronic-Cigarettes.

Fiscal Impact:

\$2,500 to update signage at all City parks and facilities.

Alternatives:

- Do not introduce the Ordinance.
- Modify the restrictions to the Ordinance.

Recommendation:

Adopt an Ordinance Amending Tobacco-Free Ordinance 9-2.23 of the Yuba City Municipal Code to Include the Prohibition of Electronic-Cigarettes and waive the second reading.

Attachments:

- Proposed Ordinance 9-2.23
- Existing Ordinance 9-2.23
- Example of an Electronic-Cigarette
- Parks and Recreation Commission Minutes

Prepared By:

Brad McIntire
Brad McIntire
Community Services Director

Submitted By:

Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed By:

Finance *RB*

City Attorney *TH*

Police Department *RL*

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING SECTION 9-2.23 OF THE YUBA CITY MUNICIPAL CODE PROHIBITING TOBACCO
OR E-CIGARETTE USE IN ALL CITY PARKS AND WITHIN 50 FEET OF ANY PUBLIC ENTRANCE
INTO ANY CITY OWNED OR LEASED FACILITY**

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

Section 1. Section 9-2.23 of the Yuba City Municipal Code is hereby amended to read as follows:

Section 9-2.23 Tobacco and e-cigarette use prohibition at all City parks and within 50 feet of any public entrance into any City owned or leased facility.

It shall be unlawful for any person to use any tobacco product or an e-cigarette in all City parks and within fifty (50') of any public entrance into any City owned or leased facility.

As used in this section, "tobacco product" means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco.

As used in this section, "e-cigarette" means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, hookah pen or under any other product name or description.

SECTION 2. This ordinance shall become effective thirty (30) days after its adoption. A summary of this ordinance shall be published once at least five (5) days prior to the adoption of this ordinance and once within fifteen (15) days after its adoption, in the Appeal Democrat, a newspaper of general circulation in the City of Yuba City.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 6th day of October, 2015, and adopted at a regular meeting thereof held on the 20th day of October, 2015.

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

APPROVED AS TO FORM:

Timothy P. Hayes, Esq.
City Attorney

ORDINANCE NO 011-09

AN ORDINANCE OF THE CITY OF YUBA CITY AMENDING TITLE 9
CHAPTER 2 OF THE YUBA CITY MUNICIPAL CODE
PROHIBITING SMOKING IN ALL CITY PARKS AND WITHIN
50 FEET OF ANY PUBLIC ENTRANCE INTO ANY CITY OWNED
OR LEASED FACILITY

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

Section 1 Section 9-2 02(a) of the Yuba City Municipal Code entitled Hours of use is hereby amended to read as follows

Sec 9-2 02 Hours of use

(a) For purposes of this chapter the word neighborhood parks shall mean any City park except for Blackburn-Talley Sports Complex Gauche Aquatic Park and Sam Brannan Park Blackburn-Talley Sports Complex Gauche Aquatic Park and Sam Brannan Park are defined as community parks for purposes of this chapter

Section 2 Section 9-2 15 of the Yuba City Municipal Code entitled Alcohol restrictions in neighborhood and community parks is hereby amended to read as follows

Sec 9-2 15 Alcohol restrictions in neighborhood and community parks

It shall be unlawful for any person to bring possess or consume any alcoholic beverage within the confines of Yuba City's parks and recreation areas with the exception of Sam Brannan Park and Gauche Aquatic Park In Sam Brannan and Gauche Aquatic Parks possession and/or consumption of alcoholic beverages shall be permitted only by permit obtained from Yuba City Leisure Services The person responsible for the conduct of an activity must sign the permit and the permit holder is tally responsible for the supervision and safety of all participants at the event City may revoke the approval or this permit at any time in the interest of public safety Such revocation shall be at the sole discretion of any City emergency service work (police or fire) Any permit pursuant to this section allowing the consumption of alcohol at Sam Brannan Park or Gauche Aquatic Park shall be limited to only the consumption of beer and wine The fenced-in softball facility at the Blackburn-Talley Sports Complex is subject to separate regulations per Section 9-2 16 of this chapter

Section 3 Section 9 2 23 of the Yuba City Municipal Code is hereby repealed

Section 4 Section 9-2 23 is hereby added to the Yuba City Municipal Code to read as follows

Sec 9-2 23 Smoking prohibition at all City parks and within 50 feet of any public entrance into any City owned or leased facility

It shall be unlawful for any person to use any tobacco product in all City parks and within 50 feet of any public entrance into any City owned or leased facility. Tobacco Product means any substance containing tobacco leaf including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco.

Section 5 Section 9-2 30 is hereby added to the Yuba City Municipal Code to read as follows:

Sec 9-2 30 Enforcement

The Director of Public Works or his designee shall be responsible for enforcing the provisions of this chapter insofar as they relate to the functions and duties of the department. The Police Chief shall be responsible for enforcing the penal provisions of this chapter.

Section 6 This ordinance shall be effective thirty (30) days after its adoption and after it is adopted, it shall be published as provided for by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 20th day of October 2009 and adopted at a regular meeting thereof held on the 3rd day of November 2009.

AYES Councilmember Gill, Maan, Miller and Mayor McBride

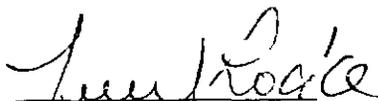
NOES Councilmember Dukes

ABSENT None

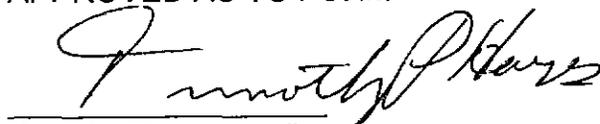


Mayor

Attest


Terrel Lock City Clerk

APPROVED AS TO FORM



Timothy P. Hayes Esq
City Attorney

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

Closed Session—Butte Room

- A. Conferred with labor negotiators Steve Kroeger and Natalie Walter regarding negotiations with the following associations: Yuba City Firefighters Local 3793 and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code.
- B. Conferred 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.
- C. Provided annual performance evaluation of City Manager pursuant to Government Code Section 54957.

Regular Meeting—Council Chambers

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 Gill led the Pledge of Allegiance.

Mayor Dukes announced that Item No. 14 regarding the Amendment to Recology Yuba Sutter Agreement is being pulled.

Presentations & Proclamations

1. Domestic Violence Awareness Month Proclamation

Mayor Dukes presented Maria Cavanagh of Casa De Esperanza with a proclamation in honor of Domestic Violence Awareness Month

2. Children’s Disabilities Awareness Month Proclamation

Mayor Dukes presented Bill Fuller of Family SOUP with a proclamation in honor of Children’s Disabilities Awareness Month

3. Public Safety Presentation by Fire Chief Pete Daley

Fire Chief Pete Daley provided Council with information on the Fire Department and service area "CSA G"

4. Overview of proposed Tierra Buena Park by Community Services Director Brad McIntire

Community Services Director Brad McIntire provided Council with an overview of the proposed Tierra Buena Park

Public Communication

5. Written Requests - None

6. Appearance of Interested Citizens

The following persons spoke regarding Item 14 – Pro E-cigarette ban in parks:

Mary Cervantes – Student Advocates for Sutter County

Abigail - Student Advocates for Sutter County

Raeleigh Schelhorn, Student Advocates for Sutter County

The following person spoke regarding speeding on her street:

Heidi Kitchens, Spyglass Drive Yuba City

Bid Award

7. Purchase of Polymer for Rotary Drum Thickener (RDT) and Belt Press at the Wastewater Treatment Facility

Councilmember Buckland moved to authorize the purchase of RDT polymer and continue the purchase of belt press polymer from SNF Polydyne Inc. at the price established by the Bay Area Chemical Consortium Bid (No. 11-2015) with the finding that it is in the best interest of the City. Councilmember Didbal seconded the motion that passed with a unanimous vote.

8. Bridge Street Reconstruction – Cooper Ave. to Plumas St. (Award)

Councilmember Gill moved to:

A) Award Contract No. 15-05, Bridge Street Reconstruction – Cooper to Plumas, to Baldwin Contracting Company, DBA Knife River Construction, of Chico, CA in the amount of their total base bid of \$3,245,749.00, along with a contingency

B) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney

C) Negotiate changes to the construction plans to reduce the cost of construction with approval by the Public Works Director

D) Authorize the City Finance Director to make the necessary budget adjustments to transfer \$165,000 from CIP account 921051 (Road Rehabilitation) to 911206 (Bridge Street Reconstruction)

E) Authorize the City Finance Director to make a supplemental appropriation of \$240,000 from unallocated Water Fund to 911206 (Bridge Street Reconstruction)

- F) Authorize the City Finance Director to make the necessary budget adjustments to transfer the remaining funds from CIP account 961171 (2013 ADA Sidewalk Improvement) approximately \$9,000 to 911206 (Bridge Street Reconstruction)
- G) Authorize the City Finance Director to make the necessary budget adjustments to transfer \$351,000 from CIP account 961202 (ADA Public Facilities Sidewalk Improvements) to 911206 (Bridge Street Reconstruction)
- H) Authorize the City Finance Director to make the necessary budget adjustments to transfer \$60,000 from CIP account 921027 (Traffic Signals) to 911206 (Bridge Street Reconstruction)
- I) Authorize the City Finance Director to make a supplemental appropriation of \$550,000 from unallocated Road Developer Impact Fees to 911206 (Bridge Street Reconstruction)

Councilmember Cleveland seconded the motion that passed with a unanimous vote.

9. Teegarden Avenue Class II & III Bicycle Lanes Project (Award)

Councilmember Buckland moved to: A) Award Contract No. 14-12, Teegarden Avenue Class II & III Bicycle Lanes Project, to Sierra Nevada Construction, Inc., of Sparks, NV in the amount of their total bid of \$45,007; and B) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

10. Enterprise Network Switch (FB16-01)

Councilmember Buckland moved to award the purchase of an Enterprise Network Switch to ePlus Technology, Inc., of Los Angeles, CA in the amount of \$65,575. Councilmember Didbal seconded the motion that passed with a unanimous vote.

Ordinance

11. Permit Process for Small Residential Rooftop Solar Systems

Councilmember Gill moved to adopt **Ordinance No. 005-15** adding Title 7, Chapter 15 to the Municipal Code relating to Expedited Permitting Procedures for Small Residential Rooftop Solar Systems and waive the second reading. Councilmember Didbal seconded the motion that passed with a unanimous vote.

12. Amend Tobacco-Free Ordinance to Include the Prohibition of Electronic-Cigarettes

Councilmember Didbal moved to introduce an Ordinance Amending Tobacco-Free Ordinance 9-2.23 of the Yuba City Municipal Code to Include the Prohibition of Electronic-Cigarettes and waive the first reading. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

Consent Calendar

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

13. Minutes of September 15, 2015

Approved the City Council Meeting Minutes of September 15, 2015.

General Items

14. Amendment to the 2011 Recology Yuba-Sutter Collection Service Agreement for the Green Waste Diversion Program

This item was pulled from the Agenda.

15. Approve matters related to the refinancing of City of Yuba City's 2006 Gauche Aquatic Park Certificates of Participation

The following person spoke:

Dr. Larry Ozeran, Yuba City CA

Councilmember Gill moved to adopt City **Resolution No. 15-063** and Public Financing Authority **Resolution No. PA 15-002** changing the structure and add additional flexibility in the method of sale of the potential refunding to optimize the City's savings. Councilmember Buckland seconded the motion that passed with a unanimous vote.

16. Groundwater and Aquifer Storage & Recovery (ASR) Monitoring Well Installations

Councilmember Buckland moved to award a Professional Services Agreement to West Yost for the installation of monitoring wells in the amount of \$240,000 with the finding that it is in the best interest of the City. Councilmember Cleveland seconded the motion with a unanimous vote.

17. Proposed Yuba City Rotary Sister City Park/Garden

The Mayor and Council provided direction to staff to work with the Rotary Club of Yuba City to install a Japanese Garden in the Redwood Grove at City Hall and include the name of the Rotary Club of Yuba City in the name of the Garden – stating that there was no cost to the City.

Business from the City Council

18. City Manager Employment Agreement

Councilmember Cleveland moved to adopt **Resolution No. 15-064** authorizing the Mayor to sign the City Manager Employment Agreement between the City of Yuba City and Steven C. Kroeger from October 6, 2015 through December 31, 2018. Councilmember Didbal seconded the motion that passed with a unanimous vote.

19. City Council Reports

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

Adjournment

Mayor Dukes adjourned the Regular Meeting of the City Council of the City of Yuba City at 8:20 p.m.

John Dukes, Mayor

Attest:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: City Treasurer
Presentation by: Spencer Morrison, Accounting Manager/City Treasurer

Summary

Subject: Dissolution of the Yuba City Area Joint Recreation Authority
Recommendation: Adopt a Resolution authorizing the dissolution of the Yuba City Area Joint Recreation Authority
Fiscal Impact: None

Purpose:

To officially dissolve the obsolete Recreation JPA between Yuba City, Sutter County, and Yuba City Unified School District

Background:

Resolution 4708 formed the Yuba City Area Joint Recreation Authority (Authority) on September 7, 1971 to establish a coordinated program of recreational services to serve the needs of the people living in the urbanized area of Sutter County, with the City of Yuba City, County of Sutter, and the Yuba City Unified School District as members.

Analysis:

In 1980, the function of the Authority was replaced by the newly formed Recreation Division at the City of Yuba City, yet was never formally disbanded in a manner recognized by the State Controller's Office, which requires annual financial reporting on the Authority. The Authority is not credited with any assets nor equipment, and no equal distribution will occur as required in agreement item 19, Termination.

Fiscal Impact:

None.

Alternatives:

Continue to allow the Authority to exist; as the Authority has no current function, staff may be directed to research other options.

Recommendation:

Adopt a Resolution authorizing the dissolution of the Yuba City Area Joint Recreation Authority.

Attachments:

- Resolution No. 4708
- Agreement Establishing the Yuba City Area Recreation Authority

Prepared by:

Submitted by:

Spencer Morrison

Spencer Morrison
Accounting Manager/City Treasurer

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Finance

RB

City Attorney

—

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE DISSOLUTION OF THE YUBA CITY AREA RECREATION
AUTHORITY**

WHEREAS, resolution number 4708, dated September 7, 1971, approved an Agreement establishing the Yuba City Area Joint Recreation Authority (Authority) in order to create a coordinated program of recreational services to serve the needs of the people living in the urbanized area of Sutter County; and

WHEREAS, the City of Yuba City, County of Sutter, and the Yuba City Unified School District were member agencies until inactivity terminated the Authority per item 19 of the Agreement, and

WHEREAS, the City of Yuba City successfully replaced the function of the Authority with a full-service Recreation Division, rendering the Authority obsolete, and

WHEREAS, the Authority has no known assets, equipment, or facilities that require distribution per item 19 of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City that the City of Yuba City has withdrawn from the Agreement and that the dissolution of the Authority is official and final with no distribution of assets, equipment, or facilities.

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

AYES;

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

RESOLUTION NO. 4708

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING APPROVAL AND EXECUTION OF THAT CERTAIN AGREEMENT ESTABLISHING THE YUBA CITY AREA JOINT RECREATION AUTHORITY, BETWEEN THE CITY OF YUBA CITY, THE COUNTY OF SUTTER AND THE YUBA CITY UNIFIED SCHOOL DISTRICT.

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

That the City Council of the City of Yuba City does hereby approve and authorize and direct the Mayor and City Clerk to execute that certain AGREEMENT ESTABLISHING THE YUBA CITY AREA JOINT RECREATION AUTHORITY between the CITY OF YUBA CITY, THE COUNTY OF SUTTER and the YUBA CITY UNIFIED SCHOOL DISTRICT.

That a copy of said AGREEMENT is attached hereto marked "EXHIBIT A", for reference.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of September, 1971.

AYES: Councilmen Dowds, Fraser and Lamon and Vice-Mayor Caplan

NOES:

ABSENT: Mayor Mark


VICE-MAYOR

ATTEST:


CITY CLERK

004708

AGREEMENT ESTABLISHING THE
YUBA CITY AREA
JOINT RECREATION AUTHORITY

THIS AGREEMENT executed in triplicate original and made and entered into by and between the COUNTY OF SUTTER, a political subdivision of the State of California, hereinafter referred to as "COUNTY"; and CITY OF YUBA CITY, a municipal corporation, hereinafter referred to as "CITY" and the YUBA CITY UNIFIED SCHOOL DISTRICT, a school district, hereinafter referred to as "DISTRICT" is made for the purpose of the establishment of a coordinated program of recreational services to serve the needs of the people living in the urbanized area of Sutter County.

WITNESSETH

WHEREAS, it is recognized that there is a need for the establishment of a genuine recreational program to serve the needs of the people of the community; and

WHEREAS, it is recognized that the individual community recreational programs of the parties hereto can better serve the needs of its citizens by the establishment of a coordinated program of recreational services; and

WHEREAS, a joint program providing for community recreation may be established pursuant to the provisions of Chapter 6, Division 12, Part 3 of the California Education Code; and

WHEREAS, each of the parties hereto is authorized by agreement to jointly exercise any power common to each of them pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the California Government Code.

NOW, THEREFORE, BE IT AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. JOINT AUTHORITY ESTABLISHED: A coordinated program to serve the recreational needs of the community and the people of the urbanized area of Sutter County generally, is hereby established and shall be known as the YUBA CITY AREA Joint Recreation Authority.

2. MEMBERS: The member jurisdictions with equal voting rights and powers of the Yuba City Area Joint Recreation Authority shall be the Yuba City Unified School District, the City of Yuba City and the County of Sutter. Each jurisdiction shall be entitled to one vote as a unit. The authority shall be responsible for the initial adoption of this Agreement, future amendments to this Agreement and approval of the annual budget. Each jurisdiction will be responsible for receiving reports from its Joint Authority Member on the Board of Recreation Commissioners and instructing its Joint Authority Member on the Board of Recreation Commissioners as to the desires and wishes of that jurisdiction.

3. DEFINITIONS: Unless the context otherwise requires, the words and phrases defined in this paragraph shall govern the construction of this agreement. The definition of a word applies to any of its variants.

(a) Authority: "Authority" means the program of coordinated recreation services developed and approved by the parties to this agreement.

(b) Authority Power: "Authority Power" means the three member jurisdictions, namely, the Yuba City Unified School District, the City of Yuba City and the County of Sutter.

(c) Commission: "Commission" means the Board of Recreation Commissioners.

(d) Council: "Council" means the Citizens Advisory Council.

4. BOARD OF RECREATION COMMISSIONERS: A Board of Recreation

Commissioners is hereby created as an advisory board to the Joint Authority members.

(A) The Board of Recreation Commissioners shall consist of five (5) members who shall be chosen as follows:

(a) one member shall be a County Supervisor and shall be chosen by the Sutter County Board of Supervisors, and shall be known as a Joint Authority member;

(b) one member shall be a City Councilman and shall be chosen by the City Council of the City of Yuba City and shall be known as a Joint Authority member;

(c) one member shall be a School District Trustee and shall be chosen by the Board of Trustees of the Yuba City Unified School District Board of Trustees, and shall be known as a Joint Authority member;

(d) one member shall be the person designated as the Chairman of the Citizens Advisory Council, and shall be known as the Citizens Advisory Council member;

(e) one member who shall be chosen by a majority vote of the four members mentioned in paragraphs (a), (b), (c) and (d) above and shall be known as the member at-large.

(B) Terms of Office: Each Joint Authority member shall serve at the pleasure of the particular Joint Authority Power that made the original appointment. The Citizens Advisory Council member shall serve at the pleasure of the majority of the Authority Powers, and the member at-large shall serve at the pleasure of the majority of the

other members making the appointment.

(C) Vacancies: Vacancies of the membership of the Board of Recreation Commissioners shall be filled by appointment in the same manner as the original appointment.

(D) Quorum: A majority of the Board of Recreation Commissioners shall constitute a quorum for the transaction of business.

(E) Method of Transacting Business - Required Vote: A majority of the members of the Commission is required on each action taken and the vote shall be recorded.

(F) Rules and Regulations: The Board of Recreation Commissioners may adopt such rules and regulations as it may deem necessary for the conduct of its business which may include, but shall not be limited to, the conduct of its meetings, place and time of meetings, designation of officers and such other matters that it may deem appropriate.

G. Powers and Duties of the Board of Recreation Commissioners: The Board of Recreation Commissioners shall act in an advisory capacity to the Authority Powers in all matters pertaining to recreation programs to be conducted by the Authority. It shall interpret and make such recommendations as may be necessary concerning the leisure time needs, facilities, equipment and programs most suited or needed for the general needs of the people of Sutter County. It shall take such action as may be necessary to advise public officials and the general public of the recreational needs in the County of Sutter and to that end, shall encourage the support of the public and other public agencies and officials. It shall recommend general policies concerning recreation properties, facilities, plans, programs and activities within the general purposes for which the Authority is created and functioning. It shall

evaluate suggestions, criticisms and comments from public officials and agencies as well as from members of the general public and shall make such recommendations with regard thereto to the Authority Powers as it may deem appropriate or as requested by the Authority Powers. It shall recommend such long-range programs for the improvement, acquisition, and development of recreation facilities and for the extension of services that it may deem necessary to the Authority Powers. It shall review annually the fiscal and budgetary needs of the Authority and shall submit its reports and recommendations pertaining thereto to the Authority Powers.

5. CITIZENS ADVISORY COUNCIL

(A) A Citizens Advisory Council is hereby created consisting of fifteen (15) members to be chosen as follows:

(a) Five (5) members shall be chosen by the Sutter County Board of Supervisors; of the members chosen, at least three (3) of which should be persons interested in and capable of representing the interest of youth, young adults and senior citizens;

(b) Five (5) members shall be chosen by the City Council of the City of Yuba City; of the members chosen, at least three (3) of which should be persons interested in and capable of representing the interest of youth, young adults and senior citizens.

(c) Five (5) members shall be chosen by the Board of Trustees of the Yuba City Unified School District; of the members chosen, at least three (3) of which shall be persons interested in and capable of representing the interest of youth, young adults and senior citizens.

(B) Terms of Office: Members appointed to serve on the Council shall serve at the pleasure of the Authority Powers appointing them.

(C) Vacancies: Vacancies on the Council shall be filled in the same manner as the original appointment.

(D) Quorum: A majority of the Council shall constitute a quorum for the transaction of business.

(E) Method of Transacting Business -- Required Vote: A majority of the members of the Council is required on each action taken and the vote shall be recorded.

(F) Powers and Duties: The Council powers and duties shall be to advise the Board of Recreation Commissioners with regard to all matters relating to the needs and desires of the community for recreational services and programs. The Council, with the approval of the Board of Recreation Commissioners, may also organize such sub-advisory councils as it may deem necessary to advise the Council and as it may deem necessary to give the Council a broad base of data, information and knowledge of the interest and needs of any particular interest group that it deems appropriate. The Council and Board of Recreation Commissioners is encouraged to create sub-advisory councils representing, but not limited to, such groups of interest as youth groups, young adult groups and senior citizen groups.

(G) Sub-Advisory Councils -- Method of Creation: All matters pertaining to sub-advisory councils such as the method of appointment, terms, filling of vacancies, by-laws, duties, methods of operation and powers of any sub-advisory council shall be determined by the Council, with the approval of the Board of Recreation Commissioners, at the time a particular sub-advisory council is created provided, however, that any such particular sub-advisory council shall not consist of more than twelve (12) members on each such sub-advisory council.

(H) Rules and Regulations: The Council shall adopt such rules and regulations as may be necessary for the conduct of its business and duties as it may deem appropriate or necessary subject to the approval of the Board of Recreation Commissioners.

ADMINISTRATION AND FUNDING

6. The CITY shall be responsible for the administration of all the recreational activities and services as shall be agreed upon by the Authority Powers acting by and through the Board of Recreation Commissioners in the day-to-day affairs of the Authority.

7. The CITY shall be responsible for the recruiting, selection, appointment and supervision of a recreational director, and such other supervisors, custodians, assistants and other employees as shall be approved by the Authority Powers in carrying out the provisions and purposes of the Authority, provided, however, that the CITY shall coordinate any recruitment, selection or appointment of a recreational director with the other Authority Powers.

8. The CITY shall act as the fiscal agent responsible for all the affairs of the Authority and as such, shall be responsible for the collection and disbursement of all funds received and appropriated in the annual budget for the coordinated programs of recreational services.

9. Each Authority Power shall designate a staff member of its respective agency to act as a liaison and contact person in matters relating to the daily management of the recreation program and its related services.

10. The Recreation Director shall annually submit to the Commission in sufficient time to meet the budget schedules of the Authority Powers, a budget outlining the budgetary needs of the Authority for each ensuing fiscal year. Such budget shall outline the in-kind services, proposed programs and the lump sum cash contributions that shall be required for the successful operation of the approved recreational program and services.

11. The Board of Recreation Commissioners shall review the proposed budget submitted by the Recreation Director and shall make such recommendations and reports thereon as it may deem necessary to the Authority Powers in sufficient time to meet the budget schedules of the Authority Powers following the submission to it of the budget by the Recreation Director.

12. The Recreation Director shall periodically and no less than annually report in writing the programs, activities and accomplishments to the Commission who shall in turn forward such report to the Authority Powers together with such recommendations and comments as they may deem appropriate.

13. The total operating budget for the recreational program and services must be formally approved by each member of the Authority Powers on or before July 1 of each year.

14. For purposes of employee benefits, insurance, workmans compensation, hospital insurance and other employee benefits, the Recreation Director and all other employees shall be employees of the CITY and subject to the City Personnel system.

15. As soon as possible after the effective date of this Agreement, the Recreation Director shall prepare a budget for the balance of the current fiscal year. Said budget shall outline

the in-kind services of the District and the cash contributions and such other in-kind services as may be agreed upon by the CITY and COUNTY.

MISCELLANEOUS

16. INSURANCE: Adequate insurance relative to public liability and property damage that may arise out of Authority activities and programs shall be secured by the CITY, the cost of which shall be born equal by CITY and COUNTY, unless appropriate riders are obtained by each member of the Authority Powers protecting each member from any liabilities that may or could result because of Authority programs and activities authorized and approved by the Authority Powers.

17. AMENDMENTS: This Agreement may be amended at any time by the unanimous consent of the Authority Powers.

18. EFFECTIVE DATE: This Agreement shall become effective on the first day of the month following the execution of this Agreement by the parties hereto, and shall remain in full force and effect until terminated by either party hereto as herein provided.

19. TERMINATION: Any party hereto may withdraw from this Agreement by the giving of one year's notice to the remaining members of the Authority Powers. In the event only one Authority Power withdraws from this Agreement, the other two members may continue with the Authority programs and activities as may be agreed upon by the remaining powers. If only one party withdraws, it shall not be entitled to any share of the assets, equipment or facilities acquired by the Authority during its existence prior to such termination save only those facilities standing in the name of the withdrawing member. In the event

the Authority is continued thereafter for a period of one year or more, all such assets, equipment and facilities shall become the property and be distributed equally to the two remaining members if the Authority should thereafter terminate following the completion of said one year of operation. In the event the remaining members fail to carry on the Authority programs and activities for a period of less than one year following the withdrawal of one member, then and in that event, all such assets, equipment and facilities acquired by the Authority with Authority funds shall be distributed equally to the original parties executing this Agreement. In the event two of the parties hereto decide to terminate the Agreement as herein provided within six months of each other, then and in that event, the Authority shall terminate and all assets, equipment and facilities acquired with Authority funds shall be distributed equally to the parties hereto.

IN WITNESS whereof the parties have executed this agreement on the dates appearing opposite their authorized signatures.

Yuba City, California.

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors

ATTEST:

[Signature]
City Clerk

ATTEST:

Secretary

COUNTY OF SUTTER

By Chairman, Board of Supervisors

Date: _____

CITY OF YUBA CITY

By *[Signature]*
Mayor

Date _____

YUBA CITY UNIFIED SCHOOL DISTRICT

By President, Board of Trustees

Date: _____

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presented by: Benjamin Moody, Deputy P.W. Director - Engineering

Summary

Subject: Pavement Striping Project - 2015 (Plans & Specifications)
Recommendation: Adopt a Resolution approving the plans and specifications for the Striping Project - 2015 and authorizing advertisement for bids on the project (Engineer's Estimate - \$65,000)
Fiscal Impact: Engineer's Estimate \$65,000 - Account No. 1024 (Striping and Markings) funded through Road Funds

Purpose:

To replace faded striping, crosswalks and pavement markings at various locations around the City.

Background:

The Public Works Department is moving forward with the design of a project to replace faded traffic striping, pavement markings, replace crosswalks, legends at signalized intersections, and add new centerline along existing city streets. The specific roadways to be addressed are shown on Exhibits A-F.

Replacing faded traffic striping is important for all users of the roadway. Improved roadway delineation and retro-reflectivity increases vehicle and pedestrian safety, especially during periods of low visibility.

Materials used will have a non-slip, thermoplastic striping material which has a useful life of 5-10 years, compared to paint which lasts for 1-2 years. Additionally, the thermoplastic material contains glass beads which increase visibility at night.

Project design, management, and construction inspection will be administered by the City's Public Works Department.

Analysis:

Public Works has prepared the plans, specifications, and estimates for the Striping Project-2015. With Council approval of the plans and specifications and authorization to bid, staff proposes to move forward with the subject project at the following anticipated schedule:

Advertise for bid:	October 2015
Award Contract:	November/December 2015
Start of Construction:	Winter 2015/Spring 2016
Completion:	Winter 2015/Spring 2016

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

Fiscal Impact:

The project will be funded with Streets and Road funds. In the Capital Improvement Program there is adequate funding available through Account No. 1024 (Striping and Markings) to cover the estimated \$65,000 required for this project.

Alternatives:

Delay or modify recommended action.

Recommendation:

Adopt a Resolution approving the plans and specifications for the Striping Project-2015 and authorizing advertisement for bids on the project.

Prepared by:

Submitted by:

Fong Vang

Fong Vang
Assistant Engineer

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

TH (Via email)

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE PLANS AND SPECIFICATIONS FOR THE STRIPING
PROJECT 2015 AND AUTHORIZING ADVERTISEMENT FOR BIDS ON
THE PROJECT.**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the plans and specifications for the Striping Project-2015 be approved.

BE IT FURTHER RESOLVED AND ORDERED by the City Council of the City of Yuba City that the Department of Public Works is hereby authorized and directed to advertise for bids for the Striping Project-2015.

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

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

PROJECT VICINITY MAP 2015 STRIPING PROJECT

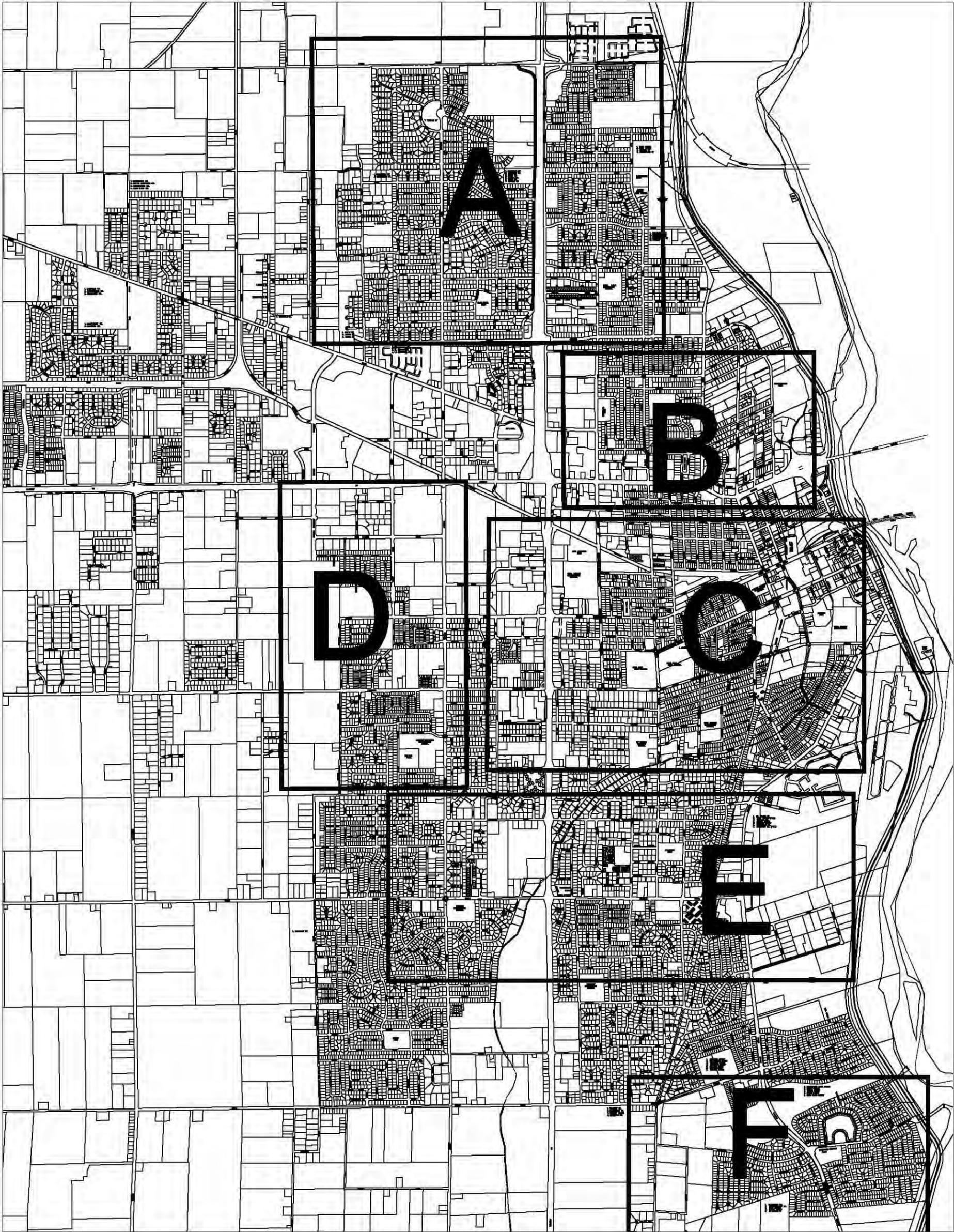
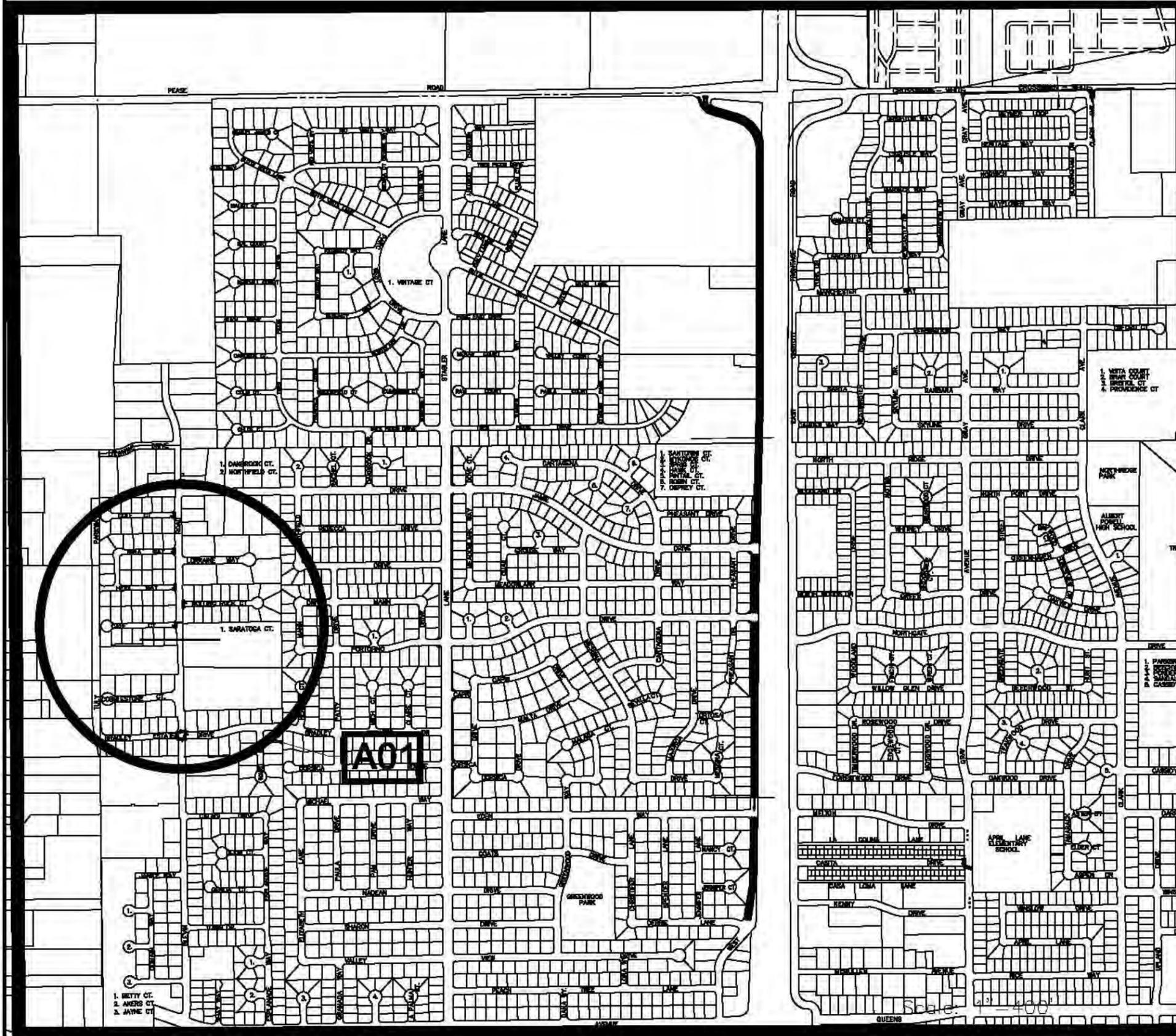


EXHIBIT A PROJECT VICINITY MAP

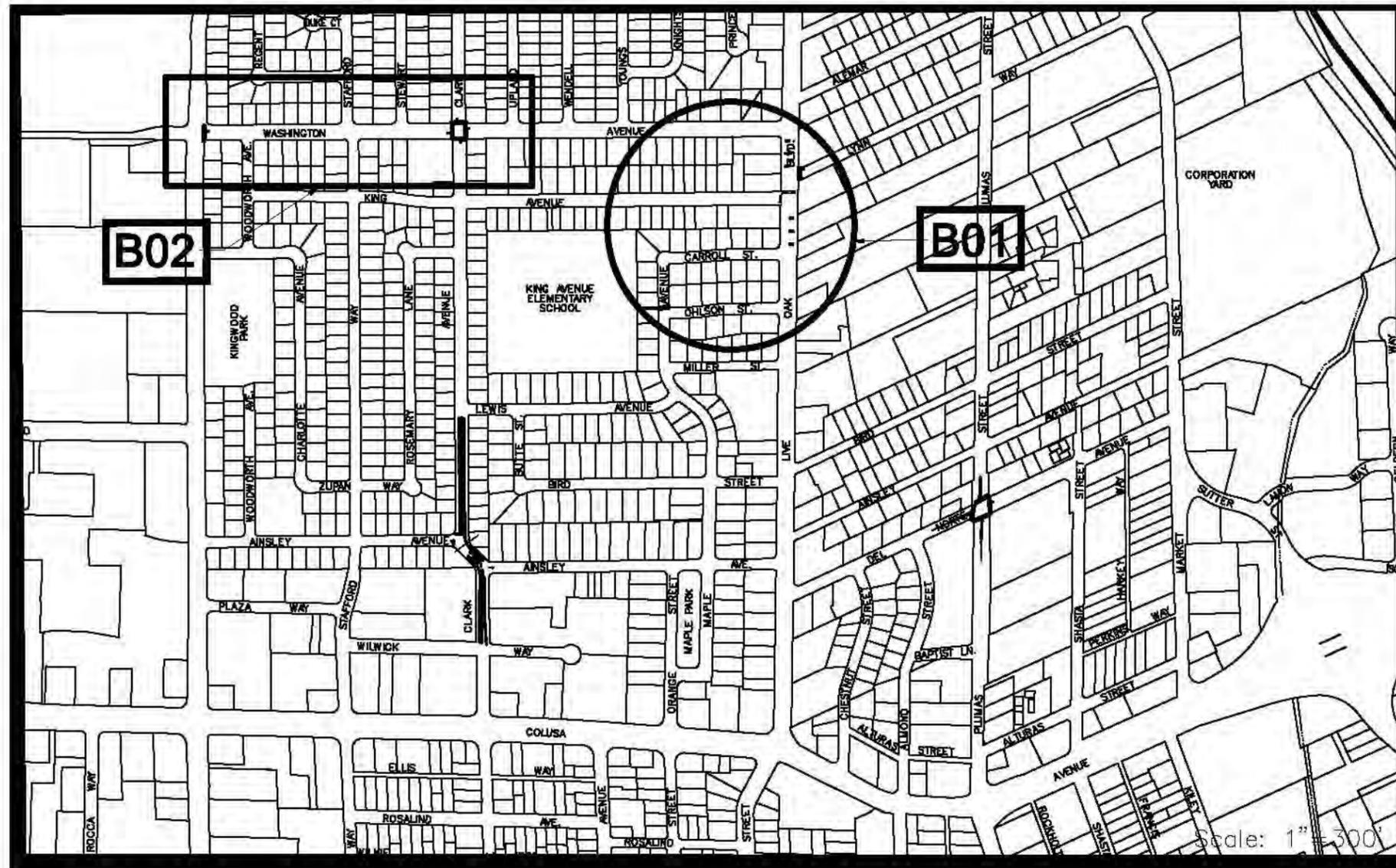
A01 — Blevin Rd @ Case St



CITY of YUBA CITY		
EXHIBIT A PROJECT VICINITY MAP		
	SUBMITTED BY: F. YANG 1201 CMAC CENTER BLVD. YUBA CITY, CA 95993 (530) 822-4632	DESIGN BY: MPD DRAWN BY: MPD CHECKED BY: STAFF DATE OF PLANS: PRELIMINARY
	DRAWING No. XXXX-D	SHEET 2 OF 26 SHEETS

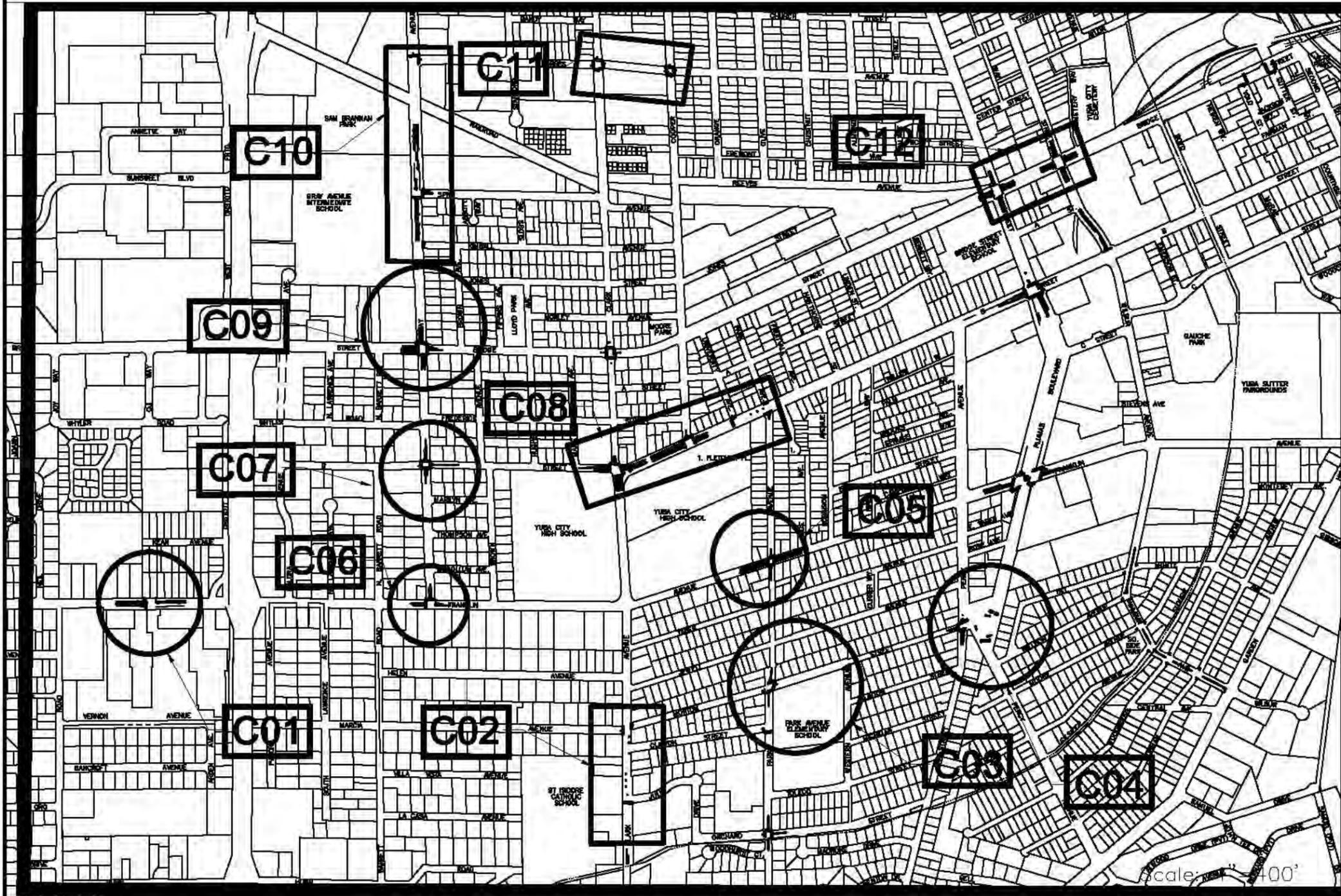
EXHIBIT B PROJECT VICINITY MAP

- B01 — Lynn Way @ Live Oak Blvd
- B02 — Washington Ave (Gray to Clark Ave)



CITY of YUBA CITY		
EXHIBIT C PROJECT VICINITY MAP		
	SUBMITTED BY: F. YANG	DESIGN BY: MPD
	1201 CMAC CENTER BLVD. YUBA CITY, CA 95993 (530) 822-4832	DRAWN BY: MPD
	CHECKED BY: STAFF	DATE OF PLANS: PRELIMINARY
	DRAWING No. XXXX-D SHEET 4 OF 26 SHEETS	

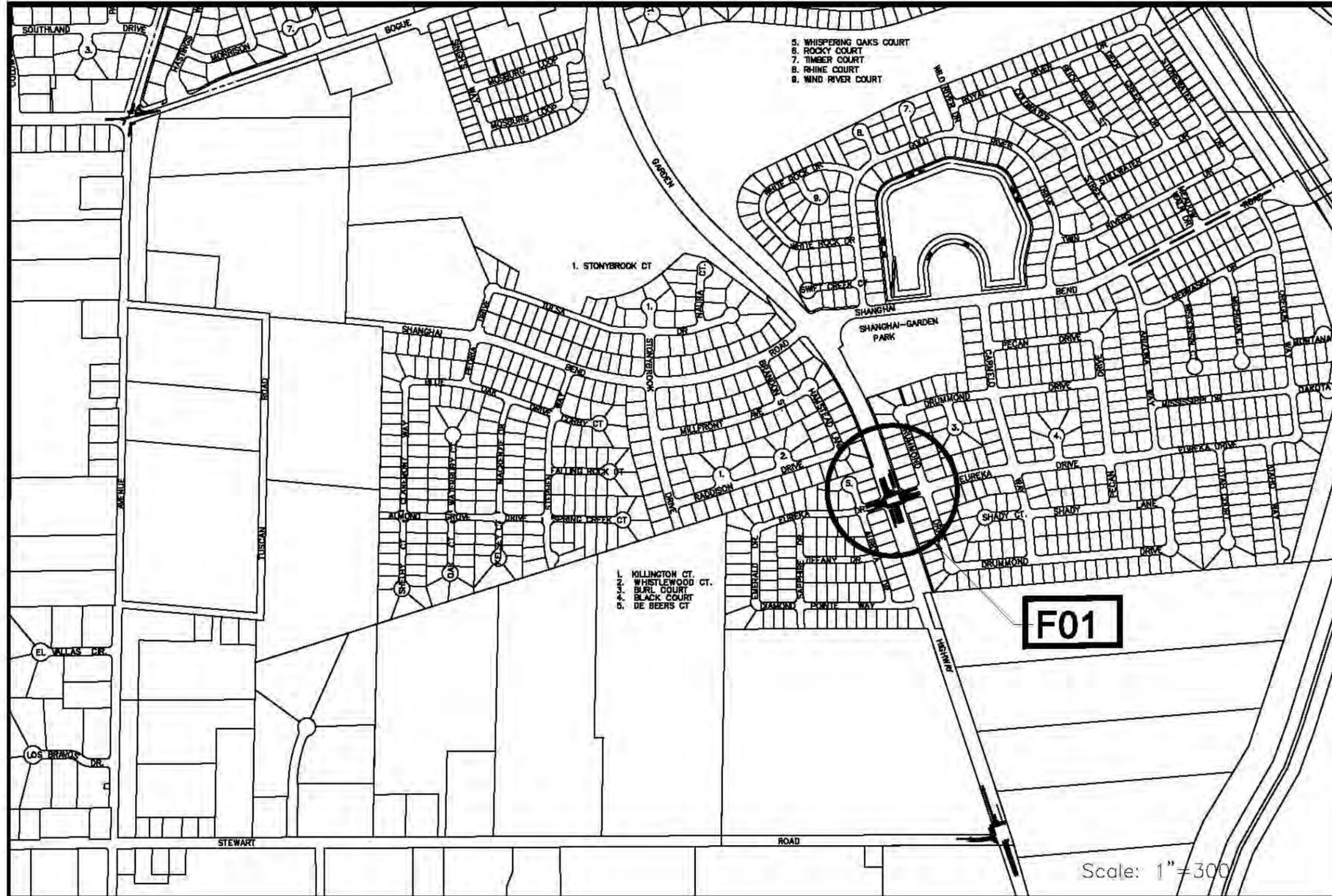
EXHIBIT C PROJECT VICINITY MAP



- C01 - Franklin Ave @ Winco Foods
- C02 - St. Isidore School Area
- C03 - Park Ave @ Morton Street
- C04 - Percy Ave @ Morton St
- C05 - Park Ave @ Franklin Avenue
- C06 - Franklin Avenue @ Gray Ave
- C07 - Gray Ave @ B St
- C08 - B Street (Between Clark Ave and Park Ave)
- C09 - Gray Ave @ Bridge St
- C10 - Gray Avenue School Area
- C11 - Twin Rivers School Area
- C12 - Bridge Street (Plumas St. to Shasta St.)

CITY of YUBA CITY		
EXHIBIT C PROJECT VICINITY MAP		
	SUBMITTED BY: F. YANG 1201 CRAG CENTER BLVD. YUBA CITY, CA 95993 (530) 822-4632	DESIGN BY: MPD DRAWN BY: MPD CHECKED BY: STAFF DATE OF PLANS: PRELIMINARY DRAWING No. XXXX-D SHEET 7 OF 26 SHEETS

EXHIBIT F PROJECT VICINITY MAP



F01 - Garden Highway @ Eureka Dr.

CITY of YUBA CITY

EXHIBIT F
PROJECT VICINITY MAP



SUBMITTED BY: F. YANG	DESIGN BY: MPD	DRAWING No. XXXX-D
1201 CMG CENTER BLVD. YUBA CITY, CA 95993 (530) 822-4630	DRAWN BY: MPD	CHECKED BY: STAFF
	DATE OF PLANS: PRELIMINARY	SHEET 24 OF 26 SHEETS

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Diana Langley, Public Works Director

Summary

Subject: Amendment of Professional Services Agreement with WaterSmart Software, Inc., for continued implementation of a Water Conservation Program

Recommendation: Authorize the City Manager to amend the existing Professional Services Agreement between the City of Yuba City and WaterSmart Software, Inc., of Tiburon, CA, for implementation of a water conservation program for an additional year in the amount of \$63,537 with the finding that it is in the best interest of the City

Fiscal Impact: \$63,537 - Account No. 7120-62761 (Water Conservation)

Purpose:

To continue to implement a water conservation program utilizing the WaterSmart program.

Background:

On July 15, 2014, the City Council awarded a contract to WaterSmart Software, Inc., to implement a water conservation program targeted toward residential customers. The program included the issuance of Home Water Reports (Exhibit A) to 5,000 residential customers on a bi-monthly basis. The Home Water Report contains features such as water consumption, water score, water use comparison to similar size households, personalized ways to save water, and a link to a customer portal web application to find additional information. The program also created a utility dashboard web application for City staff. The utility dashboard provides consumption information on all of the City's residential water accounts and has the capability to produce multiple reports including top water users, potential leaks, etc. The utility dashboard has been extremely beneficial to staff to help address customer questions and complaints regarding water use.

At the time the contract was awarded, Council directed staff to monitor the effectiveness of the program for one year, prior to making a recommendation for continuation of the program. A previous independent study conducted by East Bay Municipal Utility in December 2013 found that the WaterSmart program created a 5% reduction on average in water use, and that households receiving the Home Water Report were more likely to participate in other water efficiency programs.

Analysis:

The City has approximately 15,800 residential water accounts. As noted above, this last year, the WaterSmart program was introduced to 5,000 residential households. In addition, WaterSmart identified a control group to be utilized for comparison purposes to determine the effectiveness of the program. The results indicate that for the period of October 2014 – July 2015, the program

resulted in a 3.9% reduction in water use when compared to the control group. However, these results do not reflect August and September. Savings in June and July were 4.4% and 5% respectively, so staff anticipates that the overall effectiveness will increase for the entire one year period.

WaterSmart also conducted a customer satisfaction survey. The results were very positive. 1,990 customers were invited to participate and 422 responses were received. 77% of respondents indicated that the Home Water Reports made them more water efficient and 86% of the respondents would like to continue to receive the report.

Staff obtained a proposal from WaterSmart for continued implementation of the program for another year. The proposed scope of work has been expanded as follows:

- Home Water Reports will be delivered to the same 5,000 residential accounts plus the top 25% of the highest water users (2,200 residential accounts) on a bi-monthly basis.
- The customer portal web application will be expanded to include all water accounts, except those in the control group, including non-residential accounts.
- The utility dashboard will be expanded to include account detail for all water accounts including non-residential accounts.

The inclusion of all water accounts in the customer portal web application and utility dashboard will provide the City with more opportunities for customer engagement and education related to water usage and conservation.

Fiscal Impact:

The cost for the expanded scope of work is \$63,537. For comparison purposes, the cost of the program as authorized in July 2015 was \$64,322. There are sufficient funds budgeted in Account No. 7120-62761 (Water Conservation).

Alternatives:

Do not continue the program.

Recommendation:

Authorize the City Manager to amend the existing Professional Services Agreement between the City of Yuba City and WaterSmart Software, Inc., of Tiburon, CA, for implementation of a water conservation program for an additional year in the amount of \$63,537 with the finding that it is in the best interest of the City.

Prepared by:

Diana Langley

Diana Langley
Public Works Director

Submitted by:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Finance
City Attorney

RB

TH (via email)



WaterInsight Program
1201 Civic Center Blvd.
Yuba City, CA 95993

YOUR HOME WATER REPORT

THIS IS AN INFORMATIONAL REPORT AND NOT A BILL.

SERVICE ADDRESS: 1201 Civic Center Blvd.
ACCOUNT NUMBER: 123-4567-89

 SIGN UP TO GET THIS REPORT VIA EMAIL:
www.yubacity.net/waterinsight

 530.822.4618  waterinsight@yubacity.net

Your WaterScore

JUL 2 TO AUG 1, 2015



Nice work, WaterSaver.
Take action to save even more.

Gallons Per Day (GPD)
12 HCF = 297 GPD



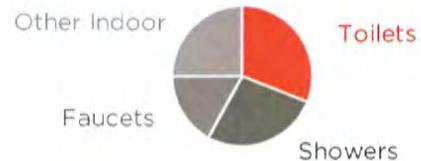
Your water use is compared to homes in Yuba City with 4 occupants and a similar yard size.

Free water workshops!

- **9/12:** Gardening During a Drought - Prepping for your fall/winter garden
 - **10/10:** Conservation Fair - Water-wise landscaping
- Workshops are held 9am-11am at 1201 Civic Center Blvd (City Hall). **To register:** call 530-822-4626 or email everydropcounts@yubacity.net.

How efficient are your fixtures?

We estimate your largest household use is **toilets**. Consider updating to efficient models. Log on for easy tips to reduce your indoor use.



Water-saving actions just for you

Selected based on your household characteristics, yard size, and historical water use.

 [Log on to update your profile](#)

Potential annual savings if you:



Replace grass with native plants

 **53** GALLONS PER DAY
 **\$72** DOLLARS PER YEAR



Reduce shower to 5 minutes

 **19** GALLONS PER DAY
 **\$52** DOLLARS PER YEAR



Fill bath 1/3 of the way

 **7** GALLONS PER DAY
 **\$20** DOLLARS PER YEAR

Log On

Take the guesswork out of saving water. See:

- Where you're using the most
- All actions relevant to you
- Step-by-step tips

www.yubacity.net/waterinsight

A **free** service offered by your water utility and powered by WaterSmart Software®

October 5, 2015

Diana Langley
Public Works Director
City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

Ms. Langley,

The City of Yuba City (Yuba City) and WaterSmart Software (WaterSmart) have entered into discussions about extending the existing WaterSmart engagement and conservation program that has been in place since July of 2014.

WaterSmart Software is the leading behavioral water efficiency solution provider, helping water utilities educate and engage their customers to save water and money. WaterSmart offers a turnkey, cloud-based engagement, analytics, and water efficiency solution that has been proven to double customer satisfaction, triple program participation and increase water-use efficiency. From February 2015 to July 2015, we achieved cumulative water-use reductions of 3.9% with Yuba City's customers compared to the control group. We expect to continue these strong results through this year and next.

WaterSmart's cost-effective behavioral water efficiency solutions help residents build better water-use habits through social comparisons that help them understand not just how much water they use but how that use compares to other similar homes. WaterSmart is currently providing engagement services and tracking water use in more than 2.4 million homes via partnerships with over 40 utilities in eight states.

With your feedback, we are proposing to expand the program to target Yuba City's top 25% highest water users via Home Water Reports and access to the Customer Portal, plus Utility Dashboard analytics for all of Yuba City's meter classes. To reflect these changes, I have attached an extension of services agreement for our use.

We look forward to ongoing discussions and hope to continue a meaningful and long-lasting working relationship with the Yuba City.

Sincerely,

Brett Foreman
Sales Manager
WaterSmart Software

Extension of Services Agreement

WaterSmart Software, Inc. (“WaterSmart”) and City of Yuba City (“Utility”) would like to confirm an extension of their Services Agreement originally dated July 15, 2014 (the “Agreement”). The current term of the Agreement ends 12 months after the public launch of the online Customer Portal, or October 17, 2015. WaterSmart and Utility agree to extend the Agreement for an additional period, which will begin immediately upon the expiration of the current term and will end on October 31, 2016.

Unless otherwise specified herein, WaterSmart will provide the same services previously listed in Exhibit A, the Scope of Work, of the original Agreement. Pricing for this extension term and any changes in scope are listed below. All other terms and conditions previously agreed to in the Agreement, including insurance requirements and provisions, remain in force.

PROGRAM AT A GLANCE

Program Overview

- Program Length: 12 months
- Solutions Package: Essential
- Total Accounts:
 - 15,791 Single Family Residential (SFR) Accounts
 - 1,167 Multi-Family Residential (MFR) Accounts
 - 1,224 Commercial, Institutional and Industrial (CII) Accounts
 - 325 Irrigation Only Accounts
- Participants: Fixed set of participants for entire program
- Meter Data: AMR/Other

Home Water Reports

- Recipients: Existing 5,000 participants plus the top 25% of the highest water users, 2,200 SFR accounts not in the current recipient or control groups
- Control Group: 2,000 SFR accounts
- Frequency: 6 cycles, bi-monthly, per program length

Dashboard and Portal

- Customer Portal:
 - Access for all SFR and non-SFR accounts, except those SFR accounts in the control group
- Utility Analytics Dashboard: Profiles for all SFR and non-SFR accounts, including those in the control group

Welcome Letter with link to Water-Use Survey

- SFR: Sent to 2,200 new HWR recipients in advance of the distribution of their first HWR

New Home Water Report Design:



WaterSmart Program
123 Main Street
Anytown, USA

415.555.5555 info@citywater.com

YOUR HOME WATER REPORT

THIS IS AN INFORMATIONAL REPORT AND NOT A BILL.

SERVICE ADDRESS: 456 Washington St., Anytown
ACCOUNT NUMBER: 123873124-01



GO PAPERLESS. SEE ALL INFO & PRODUCTS AT:
citywater.com

Blair Jones
456 Washington St.
Anytown, USA

Your WaterScore
AUG 1 to SEP 30, 2015

Way to go, WaterSaver!
You ranked in the **top 20%**.

Gallons Per Day (GPD)
9 CCF = 111 GPD

You	<div style="width: 100%; height: 10px; background-color: #4CAF50;"></div>	111 GPD
Efficient Neighbors	<div style="width: 100%; height: 10px; background-color: #2196F3;"></div>	250 GPD
Average Neighbors	<div style="width: 100%; height: 10px; background-color: #9E9E9E;"></div>	276 GPD

Your water use is compared to homes in Anytown with 4 occupants and a similar yard size.



Schedule a free House Call

A City water-use specialist will:

- Check for leaks.
- Develop an efficient irrigation schedule.
- Provide free water-saving devices & rebate info.

It's a free, annual check-up—for your home. Why wait? **Call 415.555.5555.**



Your use compared to last year

You're using **24% less** water than during the same period last year.



Water-saving actions just for you

Selected based on your household characteristics, yard size, and historical water use.

[Log on to update your profile](#)

Potential savings if you:



Turn off water when scrubbing

7 GALLONS PER DAY
\$24 DOLLARS PER YEAR



Upgrade to a low-flow toilet

28 GALLONS PER DAY
\$67 DOLLARS PER YEAR



Install high-efficiency showerheads

14 GALLONS PER DAY
\$54 DOLLARS PER YEAR



Log On

Get your full list of recommended actions, and see:

- Where you're using the most
- Your progress over time
- Efficient products for purchase

citywater.com

Registration Code: XYZXYZ
Zip Code: 98765

A **free** service offered by your water utility and powered by WaterSmart Software®

The pricing and invoicing schedule for services during this extension term are shown below in Table 1.

Table 1: Fee and Invoicing Schedule

Program Feature	Description	Fee	Invoicing schedule
Services Fee For 12 Month Extension Term	Access to Utility Analytics Dashboard and Customer Portal; Delivery of Home Water Reports throughout Program; and Support & Customer Service	15,884.25	Quarterly (invoiced in advance)
Total Fee		63,537	

IT IS SO AGREED.

Robin Gilthorpe, CEO
WATERSMART SOFTWARE, INC.
Date:

Steven Kroeger, City Manager
CITY OF YUBA CITY
Date:

CITY OF YUBA CITY
STAFF REPORT

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

Summary

Subject: Human Resources Technician
Recommendation: Adopt a Resolution authorizing the conversion of one (1) limited-term Human Resources Technician I/II position to a regular full-time position
Fiscal Impact: None. Funding is included in the current adopted budget

Purpose:

To ensure the Human Resources Department is appropriately staffed.

Background:

Human Resources' budget has an approved Human Resources Technician I/II, limited term. The City Rules defines a limited term position as an employee who performs a certain function within a limited duration. The intent with this limited term position was to coordinate recruitments during the period of time the City was experiencing a high vacancy rate. It was anticipated that once the vacancy rate declined, the limited term Human Resources Technician I/II position would be re-evaluated. However, in the last three years the vacancy rate has not declined. The City currently has 34 vacancies. In addition, new laws and evolving complexity in laws have placed an increased administrative burden on Human Resources, supporting the allocation of ongoing additional resources to the City Human Resource functions.

Analysis:

In 2004, the staffing level of Human Resources was four regular full-time positions including the Human Resources Director. In 2010, the regular full-time positions were reduced to three during the economic downturn as a result of layoffs and retirements. During the economic downturn recruiting was limited to public safety and few employees were resigning or retiring. As a result, Human Resources was able to sustain services and provide support to all departments. However, during the past five years several aspects of human resources have changed while many new laws have been enacted that need to be implemented and monitored. Some of the laws include Healthy Workplace Healthy Families Act of 2014, Pension Reform, and the Affordable Care Act. In addition, the number of recruitments has increased resulting in departments having vacancies in multiple classifications.

In order to manage recruitments and administer various laws, a long-term solution is essential. Converting the Human Resources Technician I/II limited term position to a regular full-time position is the long-term solution Human Resources needs in order to provide services required by law and to manage recruitments.

Fiscal Impact:

No additional funding is required as current funding is included in the current adopted budget.

Alternatives:

Do not approve Resolution and Human Resources Technician I/II position will continue as limited-term position.

Recommendation:

Authorize the conversion of a limited term Human Resources Technician I/II position to a regular full-time position.

Prepared By:

Amber Darrach

Amber Darrach
Human Resources Analyst

Submitted By:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Human Resources Director

NS

Finance

RB

City Attorney

TH (via email)

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE CONVERSION OF ONE (1) LIMITED TERM POSITION TO
PERMANENT EMPLOYMENT STATUS**

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

WHEREAS, the efficiency of government operations is of paramount concern to the City Council, City Management and taxpayers alike;

WHEREAS, in support of our departments to more efficiently and effectively meet the needs of the department, City and citizens;

WHEREAS, City departments have vacancies in multiple positions as vacancy levels within the City have not declined over the last three years;

WHEREAS, Human Resources bears the responsibility in administering multiple laws including several new ones such as the Affordable Care Act;

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

Approve the conversion of the Human Resources Technician I/II position from limited term to a regular full-time position.

The Finance Director is hereby authorized to make necessary adjustments to implement the staffing level change.

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

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

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

Summary

Subject: Public Employees' Union Local #1 Memorandum of Understanding (MOU)

Recommendation: A) Adopt a Resolution approving a Memorandum of Understanding with Public Employees' Union Local #1
B) Approve a supplemental appropriation of \$461,700 to the FY 2015/2016 adopted budget

Fiscal Impact: An increase in cost of \$455,100 for FY 2015/2016 and \$511,000 for FY 2016/2017

Purpose:

To enter into an Employee Agreement with Public Employees' Union Local # 1.

Background:

The City and Public Employees' Union, Local #1 (Local 1) have been through several rounds of negotiations. The first series of negotiating began in 2014 as a result of their bargaining unit agreement expiring on June 13, 2014. For the 2014 round of negotiations, Local 1 and the City held informational meetings in February 2014 and began negotiations March 17, 2014. During this round of negotiations, the City's and Local 1's positions were fundamentally different with respect to economic issues and the state of the City's budget. Both sides moved somewhat yet remained at odds over significant economic issues. As with all other employee units in negotiations at the time, including Local 1, City Council's direction was to balance the City operating budget by FY18, end the furlough, and have employees pay all of the employee contribution toward their pensions.

Over a year later from the start of this negotiations cycle, on May 19, 2015, City Council adopted a Resolution implementing the City's Last, Best, and Final Offer to Local 1 effective June 13, 2015. The terms of the imposition included:

1. Employees pay the entire employee contribution toward CalPERS – 8% or 7%, as applicable based on an employee's "classic" or "new" member status in CalPERS
2. Elimination ½ of furlough ("work schedule" furlough)
3. Cap healthcare at 2014 dollar contribution
4. Elimination of "me too" provision
5. No layoff protections

Negotiations continued as of August 14, 2015. The City placed its economic proposal-which had been accepted by all contracted bargaining units-on the table at the following meeting on August 24th. On October 7th, after less than two months of negotiating, Local # 1 and the City were able to come to agreement on terms and finalized the terms through signatures on a tentative agreement. Local 1 ratified the tentative agreement on Wednesday, October 13, 2015.

Analysis:

Local # 1 agreed to the following in their contract:

1. 2% flat rate salary increase
2. One-time, non-PERSable distribution of \$1,500
3. Employees will pay 20% of the total medical premium and the City will pay 80% of the lowest cost health plan
4. Eliminate remaining 5% furlough program
5. FLSA provision which allows sick and vacation to count as time worked for mandatory overtime in exchange for two floating holidays
6. Meet and confer over policies during term of the agreement
7. Plant operators' 12 hour shift schedule along with several other tentative agreements from 2014 negotiations

As of the writing of this staff report the Local # 1 contract is in development.

Fiscal Impact:

The proposed changes will result in a net increase in cost of \$455,100 for FY 2015/2016 (breakdown of costs provided in Attachment 1).

Alternatives:

Do not approve Local 1 Memorandum of Understanding and provide staff direction.

Recommendation:

Adopt a Resolution approving a Memorandum of Understanding with Local 1 and approve a supplemental appropriation of \$461,700 to the FY 2015/2016 adopted budget.

Attachments:

- Cost impact of Local 1 Agreement Terms
- Local 1 MOU Resolution
- Local 1 MOU

Prepared By:

Natalie Springer

Natalie Springer
Human Resources Director

Submitted By:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

City Attorney

RB

TH (via email)

City of Yuba City
Local 1--Fiscal Impact of 2 year Agreement

**City
Proposal**

FY 15/16 - Cost Impact

Cost of Additional 5% Furlough Restored (16 pay periods)	\$ 225,722
2% Pay Increase (16 pay periods)	88,745
One-Time Stipend	140,622
Agreement effective October 31, 2015	\$ 455,088

FY 16/17 - Cost Impact

Cost of 5% Furlough Restored	366,798
2% Pay Increase	144,210
Total Cost Impact-Year 2	\$ 511,008

Grand Total Cost Impact	\$ 966,096
--------------------------------	-------------------

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE PUBLIC EMPLOYEES' UNION, LOCAL 1 MEMORANDUM
OF UNDERSTANDING**

WHEREAS, the City recognizes the Local 1's commitment to the City and its citizens while providing outstanding and dedicated service to all; and

WHEREAS, City staff and Local 1 have negotiated a Memorandum of Understanding; and

WHEREAS, the City appreciates the efforts Local 1 has put forth to negotiate this Memorandum of Understanding; and

WHEREAS, Local 1 have agreed to pay 20% of lowest health care premium, eliminate the remaining furlough program, 2% flat rate salary increase, \$1,500 one-time, non-PERSable distribution, while receiving two additional holidays in exchange for FLSA provisions, and other language provisions;

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

Approve the attached Local 1 Memorandum of Understanding.

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

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

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Community Services Department
Presentation By: Brad McIntire, Community Services Director

Summary

Subject: Agreement to Negotiate Exclusively with Coldwell Banker/Mr. Karm Bains with regard to City-owned property, former Fire Station 4 and adjacent residential property

Recommendation: Authorize the City Manager to execute and implement an Agreement to Negotiate Exclusively with Coldwell Banker/Mr. Karm Bains with regard to City-owned property, former Fire Station 4 and adjacent residential property, to be used for future development (APN 57-150-050 and 57-150-004)

Fiscal Impact: The project includes the potential sale of 1.64 acres of property

Purpose:

Sale and development of former Fire Station 4 and adjacent residential property.

Background/Public Process:

In 2009, the Yuba City Fire Department dedicated a *new* Fire Station 4 on Olheyer Road. The dedication of the new station resulted in the Fire Department vacating the property located at 211 South Walton Avenue.

In 2010, the City entered into an MOU with the YMCA to establish a variety of youth and family oriented programs in the facility. During this process the City used approximately \$110,000 of funds from the Park Development Impact Fee funds to purchase the residential property to the south of the Fire Station, 217 South Walton Avenue. This additional property was acquired to allow for the YMCA proposal. Unfortunately, the YMCA was unable to raise the needed funds to upgrade the facility for their intended use.

In 2014, a letter of interest prompted the City to request Council to initiate another Request for Proposals (RFP). Unfortunately, the result was two proposals that were incomplete.

In January 2015, Staff received a letter from the American Punjabi Heritage Society expressing their interest in the property.

In May 2015, Staff obtained appraisals for the property.

On June 16, 2015, Council approved a 45 day Request for Proposals for the redevelopment of 211 South Walton and 217 South Walton Ave.

In August 2015, Staff received three proposals. All three proposed uses for the property were acceptable community services.

Analysis:

Staff evaluated the proposals and is recommending the proposal of Coldwell Banker/Mr. Karm Bains based upon proposed use and a willingness to purchase the property at the appraised value minus abatement, infrastructure improvements and/or other developmental costs required by the City.

The Exclusive Negotiating Agreement (ENA) is an agreement between the affected parties that establishes a timeline not to exceed 180 days, during which the parties will negotiate and prepare a Development and Disposition Agreement (DDA) for the development of the site and will outline critical performance measures to be performed by each party. The issues to be addressed in the negotiations of the DDA include the following:

- 1) Purchase Price for the Site
- 2) Developer's Financing Plan
- 3) Design and Aesthetic Considerations of the Development of the Site
- 4) Developer's Development History
- 5) Requirements and Restrictions placed on Development pursuant to the DDA

Following the ENA's timeline of 180 days, and assuming that both parties reach an agreement on the contract points noted above, a DDA would be presented to Council for consideration. By execution of the ENA, the City is not committing to the sale of the properties. Final discretion and approval is reserved until the formal approval of the DDA.

Fiscal Impact:

The project includes the potential sale of 1.64 acres of property.

Alternatives:

- Approve the ENA with amendments as necessary.
- Direct staff to explore other proposals.
- Do not proceed at this time.

Recommendation:

Authorize the City Manager to execute and implement an Agreement to Negotiate Exclusively with Coldwell Banker/Mr. Karm Bains with regard to City-owned property, former Fire Station 4 and adjacent residential property, to be used for future development (APN 57-150-050 and 57-150-004).

Attachments:

- 1) Site Map
- 2) Exclusive Negotiating Agreement

Prepared By:

Brad McIntire

Brad McIntire
Community Services Director

Submitted By:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

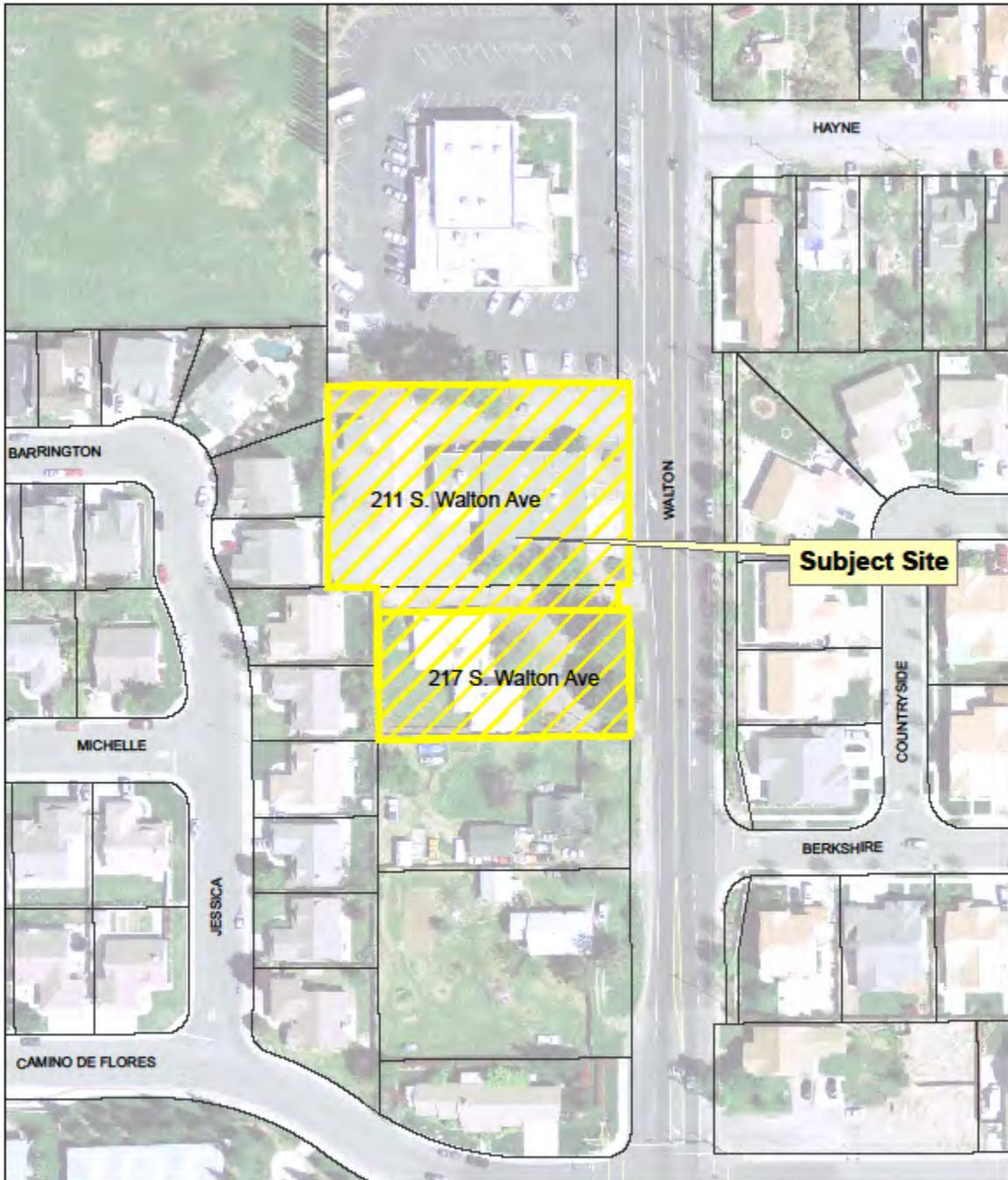
City Attorney

RB

—

EXHIBIT A

MAP OF THE SITE



211 S. Walton Ave ~ apn 57-150-050
217 S. Walton Ave ~ apn 57-150-004

1 inch = 100 feet



AGREEMENT TO NEGOTIATE EXCLUSIVELY

THIS AGREEMENT TO NEGOTIATE EXCLUSIVELY (the "Agreement") is entered into this 7th day of October, 2015, by and between the CITY OF YUBA CITY, a public body, corporate and politic (the "City"), and Karm Bains and/or designee (the "Developer"), on the terms and provisions set forth below.

THE CITY AND THE DEVELOPER HEREBY AGREE AS FOLLOWS:

I. [§100] Negotiations

A. [§101] Good Faith Negotiations

The City and the Developer, acknowledging that time is of the essence, agree for the Negotiation Period set forth below to negotiate diligently and in good faith to prepare a Disposition and Development Agreement (the "DDA") to be considered for execution between the City and the Developer, in the manner set forth herein, with respect to the sale and future development of certain real property (the "Site") located within the boundaries of the City of Yuba City (the "Project"). The Site is shown on the "Map of the Site," attached hereto as Exhibit A and incorporated herein by reference. The Site is composed of certain real property currently owned by the City which may be conveyed to the Developer pursuant to the terms of the DDA. The City agrees, for the period set forth below, not to negotiate with any other person or entity regarding development of the Site or any portion thereof.

Among the issues to be addressed in the negotiations of the DDA are: (1) The terms and conditions of conveyance of the Site to Developer, including the purchase price for the Site; (2) Developer's financing plan to develop the Site including partnership structure and planned equity investment; (3) design and aesthetic considerations of the development of the Site; (4) the Developer's development history; (5) requirements and restrictions placed on the development pursuant to the DDA.

B. [§102] Duration of this Agreement

The duration of this Agreement (the "Negotiation Period") shall be one hundred eighty (180) days from the date of execution of this Agreement by the City. If upon expiration of the Negotiation Period, the Developer has not signed and submitted a DDA to the City, then this Agreement shall automatically terminate unless this Agreement has been mutually extended by the City and the Developer. If a DDA is so signed and submitted by the Developer to the City on or before expiration of the Negotiation Period, then this Agreement and the Negotiation Period herein shall be extended without further action by the City for forty-five (45) days from the date of such submittal during which time the City shall take all steps legally necessary to (1) consider the terms and conditions of the proposed DDA, (2) if appropriate, take the actions necessary to authorize the City to enter into the DDA, including but not limited to completion of compliance with the California Environmental Quality Act, and (3) execute the DDA.

If the City has not executed the DDA by such 45th day or any extension of such period, then this Agreement shall automatically terminate, unless the 45 day period has been mutually extended by the City and the Developer. The City agrees to consider reasonable requests for extensions of time and shall, upon request, notify the Developer in writing of the reasons for any decision not to execute the DDA.

C. §103] Deposit

Prior to the execution of this Agreement by the City, the Developer shall submit to the City a good faith deposit (the "Deposit") in the amount of TEN THOUSAND DOLLARS (\$10,000). The Deposit shall be in the form of cash or irrevocable letter of credit that is satisfactory to the City Attorney to ensure that the Developer will proceed diligently and in good faith to negotiate and perform all of the Developer's obligations under this Agreement. If the Deposit is paid in cash, the City shall deposit it in an interest-bearing account and such interest, when received by the City, shall become part of the Deposit. If the Deposit is in the form of an irrevocable letter of credit, the Developer shall maintain such letter of credit in full force and effect for the entire Negotiation Period hereunder, and, if necessary, the Developer shall extend the letter of credit to the extent this Agreement is extended.

In the event the Developer has not continued to negotiate diligently and in good faith, the City shall give written notice thereof to the Developer who shall then have ten (10) working days to commence negotiating in good faith. Following the receipt of such notice and the failure of the Developer to thereafter commence negotiating in good faith within such ten (10) working days, this Agreement may be terminated by the City. In the event of such termination by the City, the City shall have the right to retain the Deposit, and neither party shall have any further rights against or liability to the other under this Agreement.

In the event the City has not continued to negotiate diligently and in good faith, the Developer shall give written notice thereof to the City which shall then have ten (10) working days to commence negotiating in good faith. Following the receipt of such notice and the failure of the City to thereafter commence negotiating in good faith within such ten (10) working days, this Agreement may be terminated by the Developer. In the event of such termination by the Developer, the City shall return the Deposit, and any interest earned thereon, if applicable, and neither party shall have any further rights against or liability to the other under this Agreement.

Upon automatic termination of this Agreement at the expiration of the Negotiation Period or such extension thereof, the Deposit shall be returned to the Developer and neither party shall have any further rights against or liability to the other under this Agreement. Upon execution of a DDA by the Developer, the Deposit shall be applied toward the Deposit required under the DDA. If a DDA has been executed by the City and the Developer, the DDA shall thereafter govern the rights and obligations of the parties with respect to the development of the Site.

II. [§200] Development Concept

A. [§201] Scope of Development

The negotiations hereunder shall be based on a development concept as set forth in the Development Proposal submitted to the City on June 30, 2016 which shall include the development on the Site located at 211 South Walton Avenue (Assessor Parcel No. 57-150-050 and 57-220-065) and a former residential-use property at 217 South Walton Avenue (Assessor Parcel No. 57-140-004). Design and architecture will continue to be developed during the negotiation of the DDA.

B. [§202] Developer's Findings, Determinations Studies and Reports

Upon reasonable notice, as from time-to-time requested by the City, the Developer agrees to make oral and written progress reports advising the City on all matters and all studies being made by the Developer. In the event the City and the Developer do not enter into a DDA, the Developer shall submit to the City copies of all studies and reports prepared for the proposed development of the Site by or for the Developer to the extent the Developer is legally able to do so, and the City shall have the right to the use and benefit of all such studies and reports.

III. [§300] Acquisition of the Site

The purchase price and/or other consideration to be paid by the Developer for the Site under the DDA will be established by the City after negotiation with the Developer. Such purchase price and/or other consideration will be based upon such factors as market conditions, density of development, costs of development, risks of the City, risks of the Developer, estimated or actual Developer profit, public purpose and/or fair value for the uses permitted to be developed and financial requirements of the City, and will be subject to approval by the City Council after a public hearing as required by law.

IV. [§400] The Developer

A. [§401] Nature of the Developer

The Developer is Mr. Karm Bains and Coldwell Banker.

B. [§402] Office of the Developer

The principal office of the Developer is:

1307 Franklin Road, Yuba City CA 95993

C. [§403] Principal Partners of the Developer

The principal partners of the Developer are as follows:

Dr. Balwinder Malhi

D. [§404] Full Disclosure

The Developer reserves the right at its discretion to join and associate with other entities in joint ventures, partnerships or otherwise for the purpose of developing the Site, provided that the Developer retains management and control of such entities and remains fully responsible to the City hereunder.

V. [§500] The Developer's Financial Capacity

A. [§501] Financial Ability

Prior to execution of the DDA, the Developer shall submit to the City satisfactory evidence of its ability to finance and complete the acquisition and development of the Site.

B. [§502] Construction Financing

The Developer's proposed method of obtaining construction financing for the development of the Site shall be submitted to the City concurrently with execution and delivery by the Developer of a DDA to the City for approval.

C. [§503] Long-Term Development Financing

The Developer's proposed method of obtaining long-term development financing shall be submitted to the City concurrently with execution and delivery by the Developer of a DDA to the City for approval.

D. [§504] Bank and Other Financial References

The Developer's bank is Banner Bank.

E. [§505] Full Disclosure

The Developer will be required to make and maintain full disclosure to the City of its methods of financing to be used in the acquisition and development of the Site.

VI. §600] City's Responsibilities

A. §602] City Assistance and Cooperation

The City shall cooperate fully in providing the Developer with appropriate information and assistance for development of the Site.

B. §603] Environmental Documents

The City shall prepare any and all environmental documents required for the proposed development under the California Environmental Quality Act. The Developer shall cooperate with the City in preparing environmental documents by supplying necessary technical data and other related information and/or development plans concerning the proposed development on the Site. Any costs, fees and charges associated with the requirements of the California Environmental Quality Act shall be paid by the Developer, unless otherwise agreed by the City.

D. §604] City Council Public Hearing

A DDA resulting from the negotiations hereunder shall become effective only after and if the DDA has been considered and approved by the City Council at a public hearing called for such purpose.

VII. §700] Real Estate Commissions

The City shall not be liable for any real estate commissions or brokerage fees which may arise here from. The City represents that it has engaged no broker, agent or finder in connection with this transaction, and the Developer agrees to hold the City harmless from any claim by any broker, agent or finder retained by the Developer.

VIII. §800] Limitations of this Agreement

By its execution of this Agreement, the City is not committing itself to or agreeing to undertake: (1) acquisition of land; (2) disposition of land to the Developer; or (3) any other acts or activities requiring the subsequent independent exercise of discretion by the City or department thereof.

This Agreement does not constitute a disposition of property or exercise of control over property by the City. Execution of this Agreement by the City is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving final discretion and approval by the City as to any Disposition and Development Agreement and all proceedings and decisions in connection therewith.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set opposite their signatures. The effective date of this Agreement shall be the date this Agreement is signed by the City.

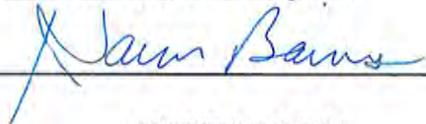
October 21, 2015

CITY OF YUBA CITY, a public body,
corporate and politic

By _____
City Manager
"CITY"

October 7, 2015

Karm Bains and/or Designee

By 
"DEVELOPER"

APPROVED AS TO FORM:

By _____
City Attorney

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presented by: Benjamin Moody, Deputy P.W. Director - Engineering

Summary

Subject: South Walton Area Traffic Improvements

Recommendation: A) Adopt a Resolution approving the installation of stop signs to create a three-way stop at the intersection of Harbor Town Drive and Portola Valley Drive and four-way stops at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

B) Adopt a Resolution approving the installation of pedestrian crosswalks at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Drive
- Sessler Drive and Joseph Street

Fiscal Impact: Engineer's Estimate \$8,500 – Account 921024, Striping and Markings

Purpose:

To install traffic control improvements in the south Walton area to enhance safety for pedestrians and vehicles.

Background:

The residential neighborhoods south of Lincoln Road, west of Walton Avenue have been plagued with incidents of unsafe travel by vehicles due to the design of wide, long, winding roadways throughout the neighborhood. Additionally the area has a large park that is actively used by many pedestrians throughout the neighborhood.

The area was originally constructed in the early 1990s within Sutter County. In 2000 the area was annexed into the City, but has remained within the Sutter County Sheriff Department's service jurisdiction.

Since construction the County and now City, have continually received requests from the

citizens to do something about the unsafe situation of vehicles traveling at high speeds on limited site visibility roadways, that have a large volume of pedestrian use.

Staff has worked over the past to implement traffic control measures that have included installing narrow lane striping, pavement markings, delineation, and signage. Additionally the Sheriff and Police Departments have been contacted to do what they can to increase enforcement measures.

Analysis:

The Public Works Department has been coordinating over the last few months to perform an Engineering Study to determine what improvements are justified to help alleviate the traffic issues in the area.

Staff performed an Engineering Study of the area in accordance with CA MUTCD standards. The Study utilized traffic and accident data, analyzed site visibility issues, and considered pedestrian travel around the Happy Park area.

Due to limited site visibility, collision history, and high use of pedestrians crossing the roadways staff recommends the installation of the following improvements:

Four-way stop at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

Three-way stop at the intersection of:

- Harbor Town Drive and Portola Valley Drive.

Installation of crosswalks at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Drive
- Sessler Drive and Joseph Street

Fiscal Impact:

Costs associated with the installation of the crosswalks and stop signs is estimated at approximately \$8,500 for the six locations. Available funding in CIP Account 921024 -Striping and Markings, will be utilized for the project.

Alternatives:

Delay or modify the recommended actions.

Recommendation:

Staff recommends that Council do the following:

A) Adopt a Resolution approving the installation of stop signs to create a three-way stop at the intersection of Harbor Town Drive and Portola Valley Drive and four-way stops at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

B) Adopt a Resolution approving the installation of pedestrian crosswalks at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Drive
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Drive
- Sessler Drive and Joseph Street

Prepared by:

Benjamin K. Moody
Benjamin K. Moody
Deputy P.W. Director - Engineering

Submitted by:

Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed by:

Department Head

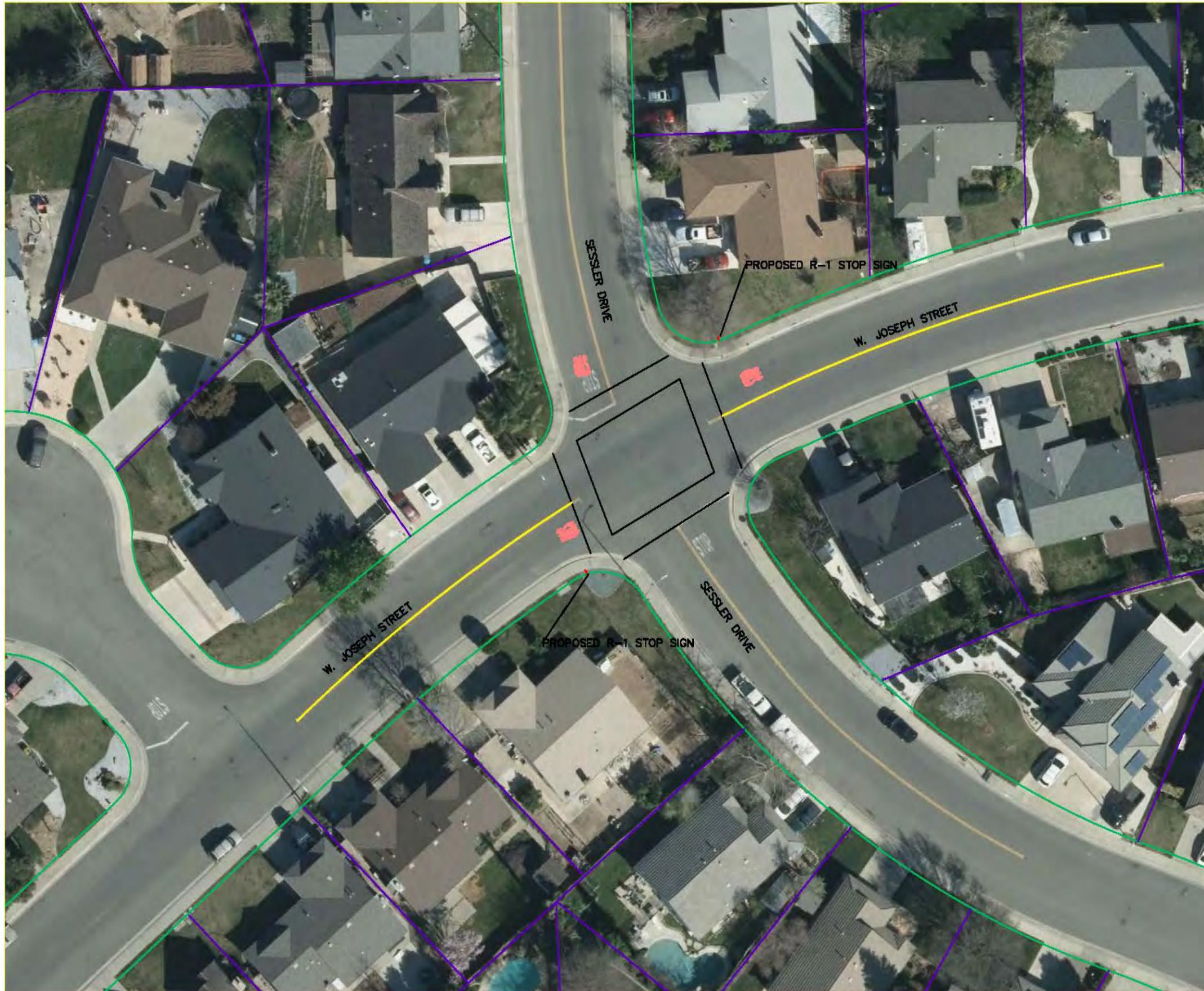
DL

Finance

RB

City Attorney

TH (via email)



PAVEMENT STRIPING/MARKING
QUANTITIES

CROSSWALK - WHITE	390 SF
DET 22	220 LF
R-1 STOP SIGN	2 EA
STOP SYMBOL	2 EA

CITY of YUBA CITY

STRIPING 01
W. JOSEPH ST. @ SESSLER DR.



SUBMITTED BY: F. YANG	DESIGN BY: MPD	DRAWING No.:
1201 CIVIC CENTER BLDG. YUBA CITY, CA 95963 (530) 882-4338	DRAWN BY: MPD	XXXX-D
DATE OF PLANS:	CHECKED BY: STAFF	SHEET 2
	DATE OF PLANS:	OF 2 SHEETS



PAVEMENT STRIPING/MARKING QUANTITIES

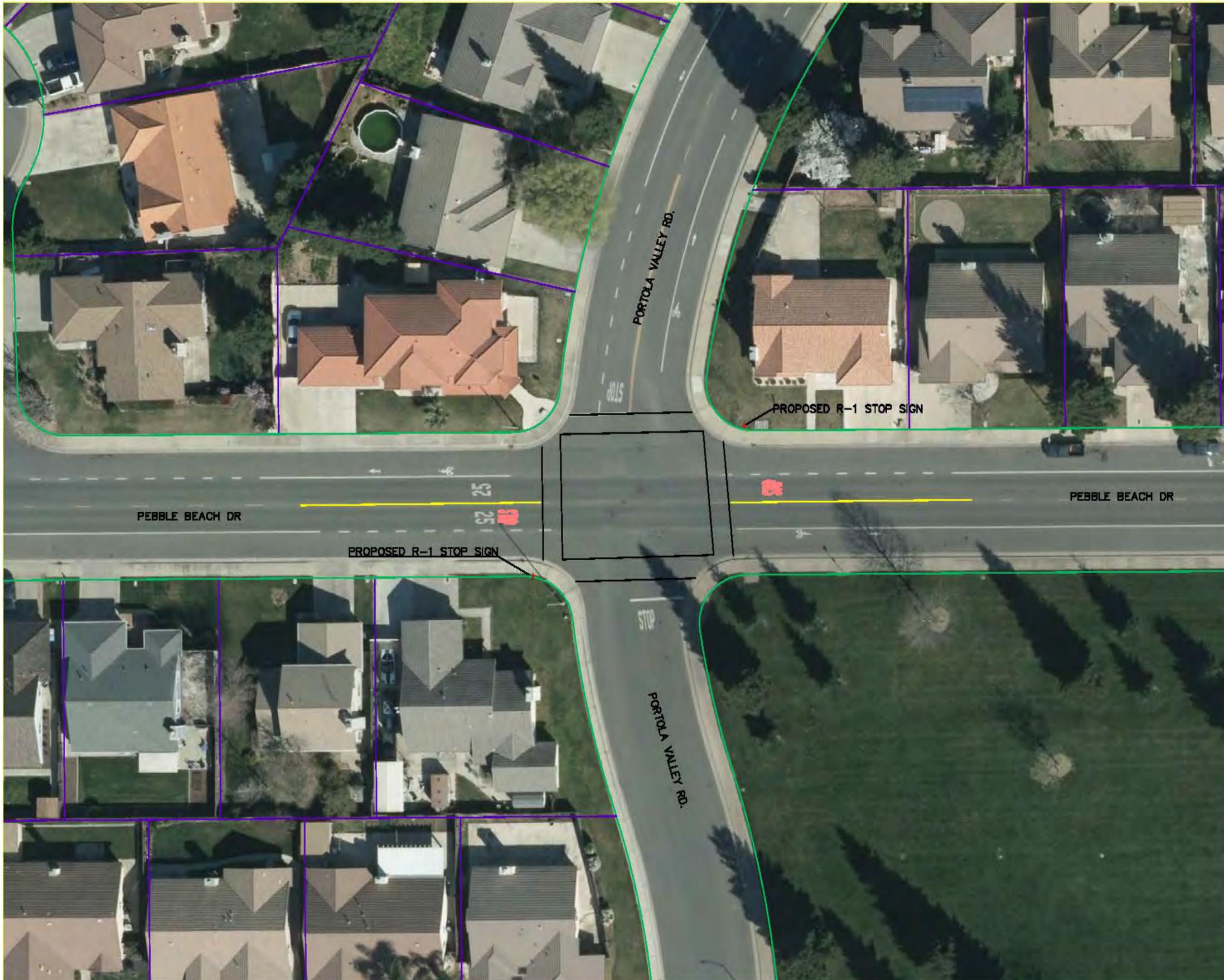
CROSSWALK - WHITE	390 SF
DET 22	220 LF
R-1 STOP SIGN	2 EA
STOP SYMBOL	2 EA

CITY of YUBA CITY

STRIPING 02
PEBBLE BEACH DR. @ ALICIA DR.



SUBMITTED BY F. VANG	DESIGN BY MPO	DRAWING No.
1201 CIVIC CENTER BLDG. YUBA CITY, CA 95993 (916) 825-4438	DRAWN BY MPO	XXXX-D
CHECKED BY STAFF	DATE OF PLANS	SHEET 2 OF 2 SHEETS



PAVEMENT STRIPING/MARKING QUANTITIES

CROSSWALK - WHITE	370 SF
DET 22	200 LF
R-1 STOP SIGN	2 EA
STOP SYMBOL	2 EA

CITY of YUBA CITY

STRIPING 03
 PEBBLE BEACH DR. @ PORTOLA VALLEY RD.

	SUBMITTED BY F. YANG	DESIGN BY MPO	DRAWING No.
	1201 CIVIC CENTER BLDG. YUBA CITY, CA 95993 (916) 822-4438	CHECKED BY STAFF	XXXX-D
		DATE OF PLAN	SHEET 2
			OF SHEETS



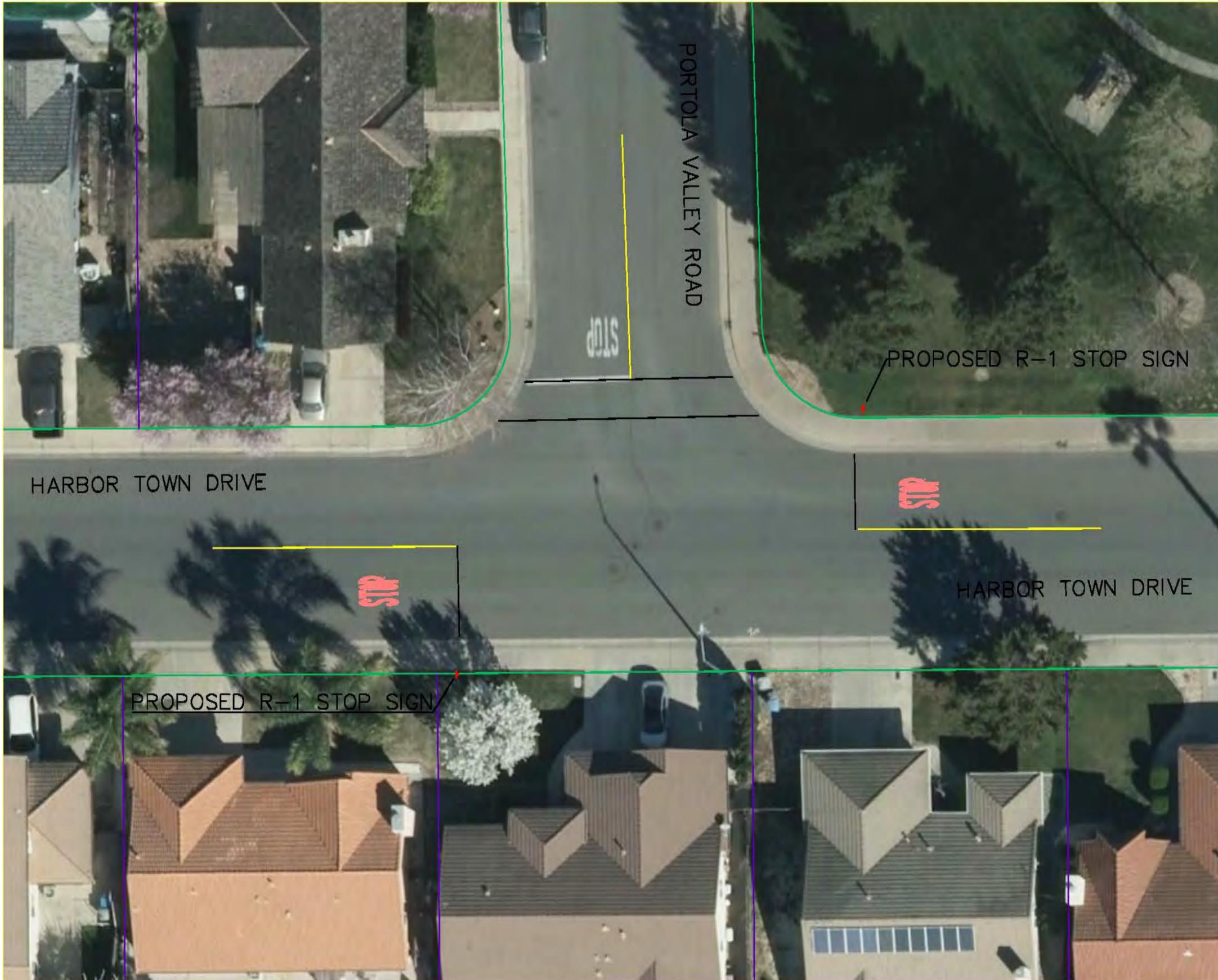
PAVEMENT STRIPING/MARKING
QUANTITIES

CROSSWALK - WHITE 390 SF

CITY of YUBA CITY

STRIPING 04
PEBBLE BEACH DR. @ GERMAINE DR.

	SUBMITTED BY: F. YANG	DESIGN BY: MPD	DRAWING No.
	1201 CIVIC CENTER BLDG. YUBA CITY, CA 95903 (916) 825-4632	DRAWN BY: MPD	XXXX-D
		CHECKED BY: STAFF	SHEET 2
		DATE OF PLANS:	OF SHEETS



PAVEMENT STRIPING/MARKING QUANTITIES

CROSSWALK - WHITE	97	SF
DET 22	150	LF
R-1 STOP SIGN	2	EA
STOP SYMBOL	2	EA

CITY of YUBA CITY
 STRIPING 05
 HARBOR TOWN DR. @ PORTOLA VALLEY RD.

	DESIGNED BY: F. YANG	DESIGN BY: MPD	DRAWING No.
	1201 CIVIC CENTER BLDG. YUBA CITY, CA 95903 (930) 622-4632	CHECKED BY: STAFF	XXXX-D
		DATE OF PLANS:	SHEET 2
			OF 2 SHEETS



PAVEMENT STRIPING/MARKING QUANTITIES

CROSSWALK - WHITE	391	SF
DET 22	100	LF
R-1 STOP SIGN	2	EA
STOP SYMBOL	2	EA

CITY of YUBA CITY

STRIPING 06
HARBOR TOWN DR. @ GERMAINE DR.

	DESIGNED BY: F. VANG	DRAWN BY: MPO	DRAWING No.:
	1201 CIVIC CENTER BLDG. YUBA CITY, CA 95903 (916) 825-4638	CHECKED BY: STAFF	XXXX-D
	DATE OF PLAN:	REVISION 2	OF 2

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE INSTALLATION OF STOP SIGNS**

WHEREAS, Diana Langley, Public Works Director, recommends placing stop signs to create a three-way stop at the intersection of Harbor Town Drive and Portola Valley Road, and a four-way stop at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Road
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

WHEREAS, it has been determined by the City Council that such provision is in the public interest,

BE IT FURTHER RESOLVED AND ORDERED, by the City Council of the City of Yuba City, that the Department of Public Works is hereby authorized and directed to place stop signs to create a three-way stop at the intersection of Harbor Town Drive and Portola Valley Road, and a four-way stop at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Road
- Harbor Town Drive and Germaine Drive
- Sessler Drive and Joseph Street

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

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE INSTALLATION OF CROSSWALKS**

WHEREAS, Diana Langley, Public Works Director, recommends the marking of an east-west pedestrian crosswalk at the intersection of Harbor Town Drive and Portola Valley Road, and a pedestrian crosswalk in each direction of travel at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Road
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Road
- Sessler Drive and Joseph Street

WHEREAS, it has been determined by the City Council that such provision is in the public interest,

BE IT FURTHER RESOLVED AND ORDERED, by the City Council of the City of Yuba City, that the Department of Public Works is hereby authorized and directed to mark an east-west pedestrian crosswalk at the intersection of Harbor Town Drive and Portola Valley Road, and a pedestrian crosswalk in each direction of travel at the intersections of:

- Pebble Beach Drive and Alicia Drive
- Pebble Beach Drive and Portola Valley Road
- Pebble Beach Drive and Germaine Drive
- Harbor Town Drive and Germaine Drive
- Harbor Town Drive and Portola Valley Road
- Sessler Drive and Joseph Street

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

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation by: Darin Gale, Economic Growth & Public Affairs

Summary

Subject: Assembly Republican Caucus Nine-Point Transportation Funding Plan
Recommendation: Authorize the Mayor to sign a letter of support of the California Assembly Republican Caucus Nine-Point Transportation Funding Plan
Fiscal Impact: There is no fiscal impact directly associated with this report, however the City will see significant increase in State funds for transportation projects if this effort is successful

Purpose:

To consider joining the Assembly Republican Caucus's effort to create a dedicated funding source for transportation projects without raising taxes.

Background:

At the September 15th Council Meeting, staff presented a resolution for Council consideration regarding the League of California Cities "Fix Our Roads Coalition" (Coalition). The Coalition was established to encourage the Governor and Legislature to create a dedicated funding source for local and state transportation projects. Council discussed the Coalition's efforts and expressed concern on a variety of issues with the plan including the provision to increase fees and taxes. After hearing of the Council's discussion Assemblyman James Gallagher contacted the City and provided the Assembly Republican's Transportation Plan for Council consideration.

Analysis:

The goal of the Assembly Republican's transportation plan is to provide a dedicate source of funding for both local and state roads projects without raising taxes and ensuring a portion of the funds be dedicated to local projects.

The Assembly Republican's nine-point, \$6.6 billion plan to fund transportation and infrastructure includes the following:

1. Use of 40% of California's Cap & Trade Funds (ABx1 17, Achadjian)
2. Use Existing Funds from Vehicle Weight Fees ABx1 18, Linder)
3. Invest Half of the Governor's Strategic Growth Fund into Shovel-Ready Roads projects (ABx1 13, Grove)
4. Eliminate Redundancies at Caltrans to Create a Savings of \$500 Million annually (ABx1 15, Patterson)

5. Eliminate and Capture Savings from Vacant State Positions (ABx1 20, Gaines)
6. Make a Formal Commitment in the State Budget General Fund of \$1 Billion for Transportation Projects (ABx1 14, Waldron)
7. Provide CEQA Relief for Highway Projects (ABx1 21, Obernolte)
8. Foster Public-Private Partnerships (P3s) for Transportation Projects (ABx1 2, Olsen)
9. Get the Politics out of Transportation Projects and Restore California Transportation Commission Independence (ABx1 19, Linder)

City Infrastructure Projects

In no particular order, the following future City projects could be funded by a new transportation funding package:

- Resurfacing and reconstruction of local streets
- Widening of Bridge Street to four-lanes from Cooper Avenue to Highway 99
- ADA improvements along the street rights-of-way as required by State & Federal Laws
- Widening of Highway 99 to six lanes
- Highway 20 & 99 Gateway Improvements
- Interchange improvements at Pease Road and Highway 99/20

Fiscal Impact:

There is no fiscal impact directly associated with this report, however the City will see significant increase in State funds for transportation projects if this effort is successful

Recommendation:

Authorize the Mayor to sign a letter of support of the California Assembly Republican Caucus Nine-Point Transportation Funding Plan.

Alternatives:

1. Do not authorize the Mayor to sign a letter in support of the Assembly Republican Nine-Point Transportation funding proposal
2. Direct staff to draft a letter regarding transportation funding based on the Council's comments

Attachment:

- Assembly Republican's Nine-Point Plan

Prepared By:

Darin Gale

Darin Gale
Economic Growth and Public Affairs

Submitted By:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Development Services Director

AR

Finance

RB

City Attorney

TH (via email)

FIXING OUR ROADS

#MAKEGOVWORK

A ROADMAP OF PRIORITIES: A NINE-POINT, \$6.6 BILLION PLAN TO FUND TRANSPORTATION INFRASTRUCTURE & FIX OUR ROADS WITH EXISTING RESOURCES

6 EXISTING FUNDS

40% of funds in California's Cap & Trade program: \$1 Billion+ Annually (ABx1 17, Achadjian)

The goal of Cap & Trade is to offset the impacts of greenhouse gas emissions on our environment. Californians currently pay higher prices at the pump because fuels are now included in the Cap & Trade Program, making Cap & Trade funds directly linked to transportation infrastructure. Additionally, better roads means better fuel efficiency which leads to a clear reduction in greenhouse gas emissions.

Existing funds from Vehicle Weight Fees: \$1 Billion Annually (ABx1 18, Linder)

The Vehicle Weight Fee (VWF) is a non-controversial payment made to offset the costs of damage done to our roads by heavy trucks. During the recession, VLF revenue was diverted to purposes other than road maintenance. This budget gimmick is no longer needed. It is time to put this money back toward its intended use.

Invest half of the Governor's strategic growth fund into shovel-ready roads projects: \$200 Million Annually (ABx1 13, Grove)

The state budget provides the governor with \$400 million a year for projects of his choosing. The Assembly Republican plan prioritizes safe roads and reduces this discretionary pot of money by half, freeing up \$200 million for road projects that can quickly make a difference for Californians who use cars to get around our state.

Eliminate redundancies at Cal Trans: \$500 Million annually (ABx1 15, Patterson)

We support the non-partisan Legislative Analyst Office's (LAO) recommendation to eliminate the 3,500 redundant positions at Cal Trans. The LAO reports this will not negatively impact any construction projects.

Eliminate and capture savings from vacant state positions: \$685 Million annually (ABx1 20, Gaines)

There are thousands of vacant positions in state government that remain unfilled for more than six months. Until recently, the law required that any such position be eliminated. While some positions are essential and difficult to fill, the majority are not and, in fact, are intentionally kept vacant so that state agencies can capture the money and spend it elsewhere. This money is better used fixing roads than padding state bureaucracy. Our proposal is for 25 percent of these vacant positions to be eliminated, using the savings to fund transportation projects.

Make a formal commitment in the State Budget General Fund to fund transportation: \$1 Billion annually (ABx1 14, Waldron)

The last two state budgets grew spending by \$8.1 billion and \$7.5 billion respectively. Early indications are that we will have \$4 billion more revenue next year. Despite this revenue surge, these budgets completely ignored the state's transportation needs. According to the LAO, the three-year revenue forecast is such that we can fully fund Prop. 98 and the Rainy Day Fund, and still dedicate \$1 billion annually to transportation. We propose doing this. Transportation is a top priority and must be funded as such.

+ \$2.3 billion in approved spending for 2015-16 fiscal year

= \$6.6 Billion to fund transportation projects and 90,000 jobs added to the workforce without raising taxes

FIXING OUR ROADS

#MAKEGOVWORK

3 POLICY CHANGES TO GET OUR ROADS FIXED

CEQA Relief for Highway Projects (ABx1 21, Obernolte)

Relief from abuses of the California Environmental Quality Act could reduce costs and delays associated with highway projects and move our transportation projects out of lawsuits and red tape. Under our plan, highway projects would be insulated from injunctions, like the model enacted for the Kings basketball arena. Highway projects could be expedited by prohibiting a court from staying or enjoining a project unless certain specific factors are present (threat to health and safety, Native American artifacts, etc.). If we can do it for billionaire professional sports team owners, we should be able to do it for Californians who want out of traffic gridlock and those who will be put to work on the projects. The present and future of our state economy relies on a strong transportation network that can reliably move goods and services. Building and maintaining such a network of roads, highways, and bridges should not get hung up in endless years of CEQA litigation and bureaucracy.

Foster Public-Private Partnerships (P3s) for transportation projects (ABx1 2, Olsen)

Removing the sunset on provisions authorizing the use of development lease agreements (aka “public-private partnerships” or P3s) for transportation projects will get roads fixed faster. Due to limited available funding for highway construction and maintenance, P3s are an attractive option for the state to most efficiently use limited resources to repair its deteriorating infrastructure. SB 2X 4 (Cogdill) (Chapter 2, Statutes of 2009) authorized Caltrans and regional transportation agencies to enter into an unlimited number of P3 agreements for a broad range of highway, road, and transit projects, through December 31, 2016. Deleting this sunset will maintain the flexibility for Caltrans and regional agencies to leverage private investment in project design, construction, and operation.

Get the politics out of transportation projects: Restore CTC Independence (ABx1 19, Linder)

Removing the California Transportation Commission (CTC) from the Executive Branch restores its status as an independent body. The CTC was created by the Legislature in 1978 as an independent body responsible for the programming and allocating of funds for the implementation of highway, passenger rail and transit improvements throughout California. The Governor’s Reorganization Plan No. 2 (GRP2) of 2012 changed the CTC from an independent agency to an entity within the newly created Transportation Agency. Keeping CTC under the control of the Secretary of Transportation frustrates meaningful oversight of the administration, and creates the potential for politicization of transportation funding decisions.

*<http://lao.ca.gov/reports/2014/budget/capital-outlay/capital-outlay-support-program-051414.pdf>

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Darin E. Gale, Economic Growth & Public Affairs

Summary

Subject: Clarification of Infill Fee Program for both Residential and Non-Residential Uses
Recommendation: Adopt a Resolution establishing an Infill Fee Reduction Matrix to identify each development category and if they qualify for the Infill Fee Program
Fiscal Impact: No additional fiscal impact. Council action clarifies the current intent of the City's Infill Impact Fee Program

Purpose:

To review and clarify the definition of what is considered Infill Development

Background:

At the July 21, 2015 City Council meeting, the Council adopted an expanded Infill Map and Fee Definition to include all City AB 1600 Impact Fees excluding the Flood Control Fee and including a reduction in the pipeline portion of the Water and Sewer Connection Fee. The intent of the Infill Fee Program is to encourage development and or redevelopment in infill areas.

The adopted Infill Impact Fee Program includes the following requirements.

- Infill Fee Program**
(Adopted 7/21/15)
1. Property must be located within the Infill Boundary Map (Attachment A)
 2. 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

Analysis

Since the adoption of the expanded infill impact fee program, staff has been questioned if the fees were reduced for all development categories. Although the intent of the program was to reduce all development categories the Resolution adopted by Council was not clear regarding the already reduced Industrial and Office development categories.

In 2007 the Council adopted the current AB 1600 Impact Fee Study (Study). Included in the Study the Council did not increase industrial impact fees and they reduced the traffic/road portion of the office category by almost 50%. As a result industrial Impact Fees are already reduced citywide below Infill and do not require additional reduction but will qualify for reduction in the Water and Waste Water connection fees. The road/traffic portion of the Office category are already reduced approximately 50% and therefore do not qualify for an additional 50% but will qualify for a reduction in the General Facilities and Utilities Pipeline.

In order to clarify the City's Infill Fee Program staff is proposing to establish a matrix of the fee categories and if they qualify for the Infill Fee Program.

Proposed Infill Fee Reduction Matrix

	Roads Fee	Parks Fee	Utilities Pipeline Fee	General Facilities Fee	Flood Control Fee	General County Fee
Residential	Yes	Yes	Yes	Yes	No	No
Multi-Family	Yes	Yes	Yes	Yes	No	No
Duplex	Yes	Yes	Yes	Yes	No	No
Commercial	Yes	N/A	Yes	Yes	No	No
Office (1)	No	N/A	Yes	Yes	No	No
Industrial (2)	No	N/A	Yes	No	No	No

Yes = Qualifies for Infill Fee Reduction Program

No = Does not qualify for Infill Fee Reduction Program

- 1. Office roads fee is reduced as part of the City's AB 1600 fee program, as a result it does not qualify for additional reductions*
- 2. Industrial Impact Fees are reduced as part of the City's AB 1600 fee program below the City's Infill Fee Program and do not qualify for additional fee reductions, aside from the utilities pipeline reduction*

Fiscal Impact:

No additional fiscal impact. Council action clarifies the current intent of the City's Infill Impact Fee Program.

Recommendation:

Adopt a Resolution establishing an Infill Fee Reduction Matrix to identify each development category and if they qualify for the Infill Fee Program

Alternative Recommendations:

1. Adjust the fee matrix as desired
2. Elect to have infill fees only apply to residential development

Attachments

- A. Infill Boundary Map
- B. Proposed Infill Fee Matrix
- C. Resolution

Prepared By:

Darin Gale

Darin Gale
Economic Growth and Public Affairs

Submitted By:

Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING THE INFILL FEE REDUCTION MATRIX**

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, the City Council approved an expanded Infill Fee Map and Definition on July 21, 2015 to improve the Infill Fee Program and create an Infill Map beyond the boundary of the City's former Redevelopment Area; 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 additional clarify the Infill Fee Program to take into consideration existing reductions in Industrial and Office Fee Categories; and

WHEREAS, the City Council expects an Infill Fee Matrix will clarify the application of the City's Infill Fee Program

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

1. Establish an Infill Fee Reduction Matrix setting forth which development categories qualify for the Infill Fee Reduction Program

Infill Fee Reduction Matrix

	Roads Fee	Parks Fee	Utilities Pipeline Fee	General Facilities Fee	Flood Control Fee	General County Fee
Residential	Yes	Yes	Yes	Yes	No	No
Multi-Family	Yes	Yes	Yes	Yes	No	No
Duplex	Yes	Yes	Yes	Yes	No	No
Commercial	Yes	N/A	Yes	Yes	No	No
Office ⁽¹⁾	No	N/A	Yes	Yes	No	No
Industrial ⁽²⁾	No	N/A	Yes	No	No	No

Yes = Qualifies for Infill Fee Reduction Program

No = Does not qualify for Infill Fee Reduction Program

1. Office road fee is reduced as part of the City's AB 1600 fee program, as a result it does not qualify for additional reductions

2. Industrial Impact Fees are reduced as part of the City's AB 1600 fee program below the City's Infill Fee Program and do not qualify for additional fee reductions, aside from the utilities pipeline reduction

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

AYES:

NOES:

ABSENT:

John Dukes, Mayor

ATTEST

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: October 20, 2015
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Darin Gale, Economic Development Manager

Summary

Subject: Sutter Buttes Local Government Energy Partnership

Recommendation: Authorize the City Manager to sign the appropriate contracts with PG&E to receive funding for the Sutter Buttes Energy Partnership, award a professional services agreement to ConSol not to exceed \$150,000 and authorize the Finance Director to record a supplemental appropriate in the amount of \$200,000 to accounts 212-4720 and 6810-627 with the finding that it is in the best interest of the City

Fiscal Impact: No local match is required and the City will receive over \$150,000 in funding for the project and be reimbursed staff time associated with this project from PG&E

Purpose:

To provide funding from PG&E to encourage energy efficiency projects in Sutter, Yuba & Colusa Counties.

Discussion:

After a two year effort, in 2013 the City was successful in creating a new Local Government Partnership (LGP) through funding received by PG&E from The California Energy Commission. The funding received through the California Energy Commission is given to energy providers like PG&E to promote energy efficiency programs through Local Government Partnerships. The original LGP included Butte, Yuba and Sutter Counties and has since changed and Colusa County replaced Butte County.

Through this effort PG&E has allocated \$150,000 annually to the City of Yuba City to manage a variety of programs for Yuba, Sutter and Colusa Counties to encourage energy efficiently. These programs include a Moderate Income Direct Install energy efficiency program (MIDI) of \$500,000, creation of a tool lending library, free energy audits for schools districts and free HVAC, Title 24 and HERS training for local contractors. The MIDI program provides funding for energy efficiency improvements in residential properties for property owners that do not qualify for income based PG&E programs. Below is a table of the funds expended on energy efficiency projects and the associated kilowatt-hours saved in 2014-15 as part of the Sutter Buttes Energy Partnership (LGP).

Counties	Funds Spent	kW saved	kWh saved
Colusa	\$9,882	11	69,297
Sutter	\$406,497	213	1,233,835
Yuba	\$272,585	119	837,531
Total	\$688,964	343	2,140,663

Analysis

The Sutter Butte Energy Partnership has been very successful and is one of the newest LGPs in the State. Although our current budget to manage the program is only \$150,000, we hope to secure additional funding in the coming years and expand the energy efficiency efforts of the Partnership.

One of the reasons we have been successful in our efforts is through the assistance of Consol, which manages the day-to-day operations of the Partnership. ConSol is a Stockton based energy consultant firm with over 25 years of experience working with PG&E, implementing a variety of energy efficiency related programs in both the residential and commercial sector. Due to the success of the program we are proposing to continue the Partnership and enter into a professional services contract with Consol, not to exceed \$150,000.

Fiscal Impact:

No local match is required and the City will receive over \$150,000 in funding for the project and be reimbursed staff time associated with this project from PG&E

Recommendation:

Authorize the City Manager to sign the appropriate contracts with PG&E to receive funding for the Sutter Buttes Energy Partnership, award a professional services agreement to ConSol not to exceed \$150,000 and authorize the Finance Director to record a supplemental appropriate in the amount of \$200,000 to accounts 212-4720 and 6810-627 with the finding that it is in the best interest of the City

Alternatives

1. Do not continue the Sutter Buttes Energy Partnership
2. Continue with the Sutter Buttes Energy Partnership and try to identify a local contractor to manage the day-to-day operations

Prepared By:

Submitted By:

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Steven C. Kroeger

Darin Gale
Economic Growth & Public Affairs

Steven C. Kroeger
City Manager

Reviewed By:

City Attorney

TH (via email)

Finance

RB

CITY OF YUBA CITY

City Council Reports

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

Adjournment