



# CHICO CITY COUNCIL AGENDA

March 18, 2008

CLOSED SESSION - 6:00 P.M.  
CITY COUNCIL MEETING - 6:30 P.M.

# Chico

## City Council

Steve Bertagna  
Mary Flynn  
Scott Gruendl  
Tom Nickell  
Larry Wahl  
Ann Schwab, Vice-Mayor  
Andy Holcombe, Mayor

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*The Council appreciates your cooperation in turning off all cell phones during the meeting.*

### COPIES OF THIS AGENDA AVAILABLE FROM:

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City Clerk's Office  
411 Main Street  
Chico, CA 95928  
Phone: (530) 896-7250

Agenda Packet available online:  
[www.ci.chico.ca.us](http://www.ci.chico.ca.us)

**POSTED:** 3/14/08

**POSTING LOCATION:** 421 Main Street

**PRIOR TO:** 5:00 p.m.

### **City Staff**

David Burkland, City Manager  
Lori Barker, City Attorney  
Dennis Beardsley, Interim Assistant City Manager  
Deborah Presson, City Clerk  
Cindy Pierce, Administrative Svcs. Director  
Fritz McKinley, Building & Development Svcs. Dir.  
Sherry Morgado, Housing & Neighborhood Svcs. Dir.

### **City Staff**

Tom Z. Varga, Capital Project Svcs. Director  
Lynn McEnespy, Info. Systems Director  
Bruce Hagerty, Chief of Police  
Steve Peterson, Planning Services Director  
Jennifer Hennessy, Finance Director  
Keith Carter, Interim Fire Chief  
Dan Fuks, Director of Human Resources

The Chico City Council welcomes you to this meeting and invites you to participate in matters before the Council.

## Information and Procedures Concerning Conduct of City Council Meetings

### PUBLIC PARTICIPATION:

- All members of the public may address Council on any item listed on the agenda.
- All members of the public may address Council on non-agenda items from Business from the Floor.
- Each speaker will be asked to complete a speaker card and turn it in to the City Clerk prior to the conclusion of the staff presentation and will state his/her name at the podium before speaking.
- Persons demonstrating rude, boisterous or profane behavior will be called to order by the Mayor. If such conduct continues, the Mayor may call a recess, requesting the removal of such person(s) from the Council Chamber, adjourn the meeting or take some other appropriate action.

### TIME LIMIT:

- Three minute time limit for each speaker unless Council specifies a different time limit based on the time allotted for the item and the number of speakers.
- Speakers may address Council only one time on each agenda item after turning in a Speaker Card to the City Clerk.
- A speaker may not defer his/her time to other speakers.
- Groups or organizations are encouraged to select a spokesperson to speak on their behalf. Each subsequent speaker is encouraged to submit new information, and rather than repeating comments made by prior speakers to simply indicate their agreement with a prior speaker's comments.

### WRITTEN MATERIAL:

- Council is unable to read written materials presented at the meeting. If any person intends to appear before the Council and provide written material, it is desired that the material be delivered to the City Clerk's Office eight days in advance of the meeting in order that copies may be included with the Council agenda binders. Information received after that will be provided to Council as additional information at the meeting.

### AMERICAN DISABILITIES ACT:

- Please contact the City Clerk at 896-7250 should you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation in order to participate in a meeting. This request should be received at least three working days prior to the meeting in order to accommodate your request.
- Anyone who has difficulty hearing the proceedings of a meeting may be provided with a portable listening device by requesting one from the City Clerk.



The Chico City Council encourages citizens to participate in the development of city policies and the implementation of City programs.



The Council and staff shall work to preserve appropriate order and decorum during all City meetings.



### SPECIAL PRESENTATIONS:

- Special presentations which include slides, films, etc. during the course of a meeting will only be allowed with prior approval of the Mayor.

### BUSINESS FROM THE FLOOR:

- A member of the general public may address the Council on any matter not appearing on the agenda that is of interest to such person and is within the jurisdiction of the Council.
- No action can be taken by Council on any items brought forward at this time. Council may request this item to be brought back at a subsequent meeting.

### AGENDA COPIES

- Available at the meeting.
- May be mailed to an individual at an annual cost set forth in the City's Fee Schedule.
- May be picked up in advance in the City Clerk's Office without charge.

### CLOSED SESSION:

- A description of the items, if any, to be discussed in closed session are always listed on the agenda. Any action taken during this time will be announced when the Council reconvenes to open session.

### COPIES OF AGENDA ITEMS:

- Available for public inspection in the City Clerk's Office prior to a meeting.
- Copies may be obtained after payment of applicable copy fees.

### USE OF CELL PHONES DURING MEETINGS:

- The Council appreciates your cooperation in turning off all cell phones

**ITEMS NOT APPEARING ON POSTED AGENDA** This agenda was posted on the Council Chamber Building Bulletin Board at least 72 hours in advance of this meeting. In order for the Council to take action on an item not appearing on the posted agenda, other than merely acknowledging receipt of correspondence or other information, the Council must make one of the following determinations:

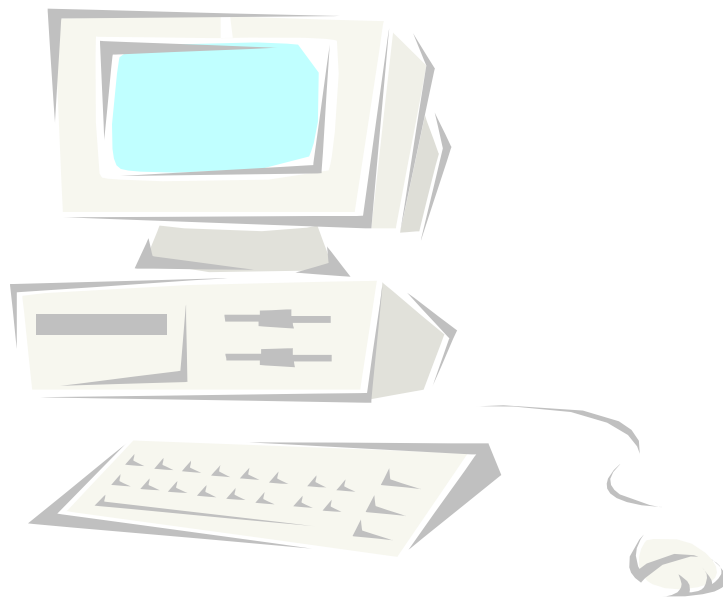
1. Determine by a majority vote that an emergency exists as defined in Government Code Sec. 54956.5.
2. Determine by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Council is present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.
3. Determine that the item appeared on a posted agenda for a meeting occurring not more than 5 calendar days prior to this meeting, and the item was continued to this meeting.



# Looking for an agenda item?

Supporting documentation, when available, can now be accessed on the City's web page. Click on the [item number](#) in order to view this information. To return to the agenda, click the back arrow.

**Please note** the e-Packet agenda is provided as a service to the public and may not contain the full agenda packet. The official document, as required by the Brown Act, is available for public viewing in the office of the City Clerk at 411 Main Street no later than 72 hours before a Council meeting.



## City Clerk's Office

City of Chico  
P.O. Box 3420  
411 Main Street  
Chico, CA 95927

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530-896-7250

**ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — March 18, 2008**  
Chico Municipal Center, Council Chamber, 421 Main Street

- 1.1. **CLOSED SESSION** - 6:00 p.m. - see page 4
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Scott Dowell, Sunrise Christian Center
- 1.6. Roll Call
- 1.7. Closed Session Announcement

**JOINT WORKSHOP - CITY COUNCIL AND PLANNING COMMISSION - 6:30 p.m. - 7:30 p.m.**

**1.8. GENERAL PLAN UPDATE - IMAGINE CHICO 2030 VISION BOOK AND EXISTING CONDITIONS REPORT**

At critical points in the General Plan Update process, staff and the General Plan consultant, PMC (the Project Team), are scheduled to check-in with the City Council and Planning Commission to discuss key points in this significant planning effort. The Project Team will present an overview of the outreach efforts to date, and summarize the culminating product, the Imagine Chico 2030 Vision Book. The Project Team will also provide an overview of the Existing Conditions Report, which provides a “snapshot” of existing conditions in the City. The Existing Conditions Report will serve as a technical resource for the General Plan Update and the associated environmental document. *(Report - Holly Keeler, Principal Planner & Pam Johns, PMC - Project Manager)*

**Speaker Card**

Members of the audience who wish to address the City Council on items of interest are requested to complete a speaker's card available at the back of the Council Chamber. Please note that you will need to complete a separate card for each item you wish to address. After completing your card, submit it to the City Clerk before the item is called or prior to the beginning of the meeting. Speakers will be taken in the order the cards are received.

**CONSENT AGENDA** – All matters listed under the Consent Agenda are to be considered routine and enacted by one motion. There will be no separate discussion of these items unless requested by a member of the City Council. A member of the public may request that an item be removed, provided the item does not relate to a noticed hearing which has been closed to further public comment. *Items removed will be heard immediately following the approval of the Consent Agenda.*

**2.1. ADOPTION OF ORDINANCES FOR REZONE 07-02 AND DEVELOPMENT AGREEMENT 07-01 (STONE BUILDING CORPORATION)**

**Adopt** - two ordinances in conjunction with the Bidwell Park Apartments low-income affordable housing project: (1) to rezone the site from R1 Low Density Residential to R3 Medium-High Density Residential; and (2) to authorize a density bonus for the purpose of developing a rental housing project for affordable to low and very low income households. These ordinances were introduced by the Council at its meeting of 3/04/08. *The Planning Services Director recommends that the City Council adopt the ordinances by reading of the titles only.*

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO REZONING PROPERTY AT 1197 E. 8TH STREET AND 1190 E. 9TH STREET, IDENTIFIED AS ASSESSOR'S PARCEL NOS. 004-331-004 AND 014 FROM R1 LOW DENSITY RESIDENTIAL TO R3 MEDIUM-HIGH DENSITY RESIDENTIAL REZONE 07-02 (STONE BUILDING CORPORATION) - Final Reading and Adoption

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHICO AND THE STONE BUILDING CORPORATION TO DEVELOP BIDWELL PARK APARTMENTS 38-UNIT AFFORDABLE HOUSING PROJECT (1197 E. 8TH STREET AND 1190 E. 9TH STREET, ASSESSOR'S PARCEL NOS. 004-331-004 AND -014) - Final Reading and Adoption

**2.2. ADOPTION OF A RESOLUTION - SEWER IN LIEU - 1013 FRANCES DRIVE**

**Adopt** - a resolution authorizing sewer assessments to be collected on the tax roll, in lieu of full and immediate payment of the sewer system connection fee. **The Building & Development Services Director recommends adoption of the resolution.**

RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1013 FRANCES DRIVE / ASSESSOR'S PARCEL NO. 042-390-028 (petition from property owners M. Michael and Sondra C. Moran)

**2.3. APPROVAL OF A MINUTE ORDER - AUTHORIZING AN AGREEMENT WITH CHICO UNIFIED SCHOOL DISTRICT FOR REIMBURSEMENT OF CITY'S COST TO CONSTRUCT IMPROVEMENTS AT PARKVIEW ELEMENTARY SCHOOL**

**Approve** - a minute order authorizing the City Manager to execute an agreement with Chico Unified School District under which CUSD will pay for the construction of additive improvements to Parkview Elementary School in conjunction with the City's capital project to reconstruct East Eighth Street and setting forth the conditions of reimbursement for the construction of those improvements. **The Capital Project Services Director recommends approval of the minute order.**

MINUTE ORDER - AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CHICO UNIFIED SCHOOL DISTRICT FOR THE REIMBURSEMENT OF CONSTRUCTION COSTS INCURRED BY CITY FOR INSTALLATION OF ADDITIVE IMPROVEMENTS AT PARKVIEW ELEMENTARY SCHOOL

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**ITEMS REMOVED FROM CONSENT** - if any

**2. NOTICED PUBLIC HEARINGS**

**4. REGULAR AGENDA**

**4.1. ACCEPTANCE AND CONSIDERATION OF FINANCE COMMITTEE RECOMMENDATION REGARDING FUNDING REQUEST FROM CHICO COMMUNITY SHELTER PARTNERSHIP/TORRES SHELTER**

At its meeting of 02/26/08, the Finance Committee recommended approval of a one-time emergency allocation of \$10,000 from Community Development Block Grant (CDBG) funds, currently reserved for the pending Torres Shelter expansion project, to the Chico Community Shelter Partnership (CCSP) to be used as additional financial assistance for the Torres Shelter. This allocation would be in addition to the \$12,000 CCSP received through the annual 2007-08 Community Organization funding process (\$8,500 is received by CCSP for operational costs; \$3,500 is a pass-through for the HELP program). **(Report - Sherry Morgado, Housing and Neighborhood Services Director)**

**Recommendation** – The Finance Committee recommends (3-0) approval of a one-time emergency allocation of \$10,000 in CDBG funds for the Torres Shelter.

4.2. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA**

5. **BUSINESS FROM THE FLOOR**

Members of the public may address the Council at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Council cannot take any action at this meeting on requests made under this section of the agenda.

6. **ADJOURNMENT**

Adjourn to April 1, 2008 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by a regular meeting in the Council Chamber at 6:30 p.m.

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — March 18, 2008

CLOSED SESSION

Chico Municipal Center, Conference Room #2, 421 Main Street

1. CALL TO ORDER

1.1. Roll Call

2. CLOSED SESSION MATTERS

2.1. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney will review the following case: *Jessica Haggard v. The City of Chico, et al.*, Butte County Superior Court Case No. 142552, pursuant to subdivision (a) of Government Code section 54956.9.

2.2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** The City Council will review the City Attorney's performance. (Gov. Code Sec. 54957.)



3. ADJOURNMENT

Adjourn to a City Council meeting in the Council Chamber.