

REGULAR CHICO CITY COUNCIL MEETING — February 2, 2010
Chico Municipal Center, Council Chamber, 421 Main Street

- 1.1. **CLOSED SESSION** - 6:00 p.m.
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order - 6:30 p.m. in the Council Chamber, 421 Main Street
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Reg Schultz-Akerson, Faith Lutheran Church
- 1.6. Roll Call
- 1.7. Closed Session Announcement
- 1.8. Moment of Silence for John E. “Jack” Sweeney, former City Councilmember and Bidwell Park and Playground Commissioner who passed away on January 14, 2010
- 1.9. Presentation — Certificate of Appreciation to Dennis Beardsley, General Services Director retiring after 13 years of City service.
2. **CONSENT AGENDA** – All matters listed under the Consent Agenda are to be considered routine and enacted by one motion.
 - 2.1. **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING TITLE 16 AND TITLE 19 OF THE CHICO MUNICIPAL CODE REGARDING TREE PRESERVATION, HERITAGE TREES, LANDSCAPING STANDARDS, AND DESIGN AND DEVELOPMENT STANDARDS FOR OFF-STREET PARKING** - Final Reading and Adoption

Adopt - an ordinance amending Titles 16 and 19 of the Chico Municipal Code. The amendments would generally modify landscape plan requirements; create a parking lot shade tree list; create a Voluntary Heritage Tree program; create a tree replacement program; and make other minor changes. **Adopt** - a fee schedule resolution which establishes: (1) a tree replacement in-lieu fee as set forth in Chapter 16.66; and (2) a Voluntary Heritage Tree Program application fee as set forth in Chapter 16.68 of the ordinance. This ordinance was introduced by the Council at its meeting of 1/19/10. ***The Interim Planning Services Director and General Services Director recommend adoption of the ordinance by reading of its title only and adoption of the resolution.***

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE CITY'S FEE SCHEDULE (AMENDMENT NO. 322 BUILDING FEES AND TREE PRESERVATION FEES)

- 2.2. **ADOPTION OF A RESOLUTION APPROVING THE APPLICATION FOR AND ACCEPTANCE OF GRANT FUNDS FOR THE CHICO BIKE MAP UPDATE PROJECT AND ALLOCATING LOCAL MATCHING FUNDS**

Adopt - a resolution approving an application for and acceptance of grant funds for the Chico Bike Map Update Project and allocating local matching funds. In conjunction with Butte County Association of Governments, staff is proposing to update the Chico Area Bike Map with recently added bicycle facilities and existing transit routes utilizing the Bicycle Transportation Account grant intended to support projects which improve safety and convenience for bicycle commuters. Acceptance of the \$60,000 grant requires \$7,000 in matching funds. ***The Capital Project Services Director recommends adoption of the resolution.***

RESOLUTION APPROVING THE APPLICATION FOR AND ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION BICYCLE TRANSPORTATION ACCOUNT FOR THE CHICO BIKE MAP UPDATE PROJECT AND ALLOCATING LOCAL MATCHING FUNDS

2.3. **ACCEPTANCE OF THE ANNUAL REPORT OF THE CHICO REDEVELOPMENT AGENCY FOR FISCAL YEAR 2008-09**

Accept - the Annual Report of the Chico Redevelopment Agency for Fiscal Year 2008-09, which has been prepared pursuant to Community Redevelopment Law and was provided to Council prior to the end of 2009. ***The Economic Development/Redevelopment Manager recommends acceptance of the report.***

2.4. **APPROVAL OF MINUTES OF CITY COUNCIL MEETINGS**

Approve - minutes of the City Council meetings held on 1/19/10 and 1/26/10.

ITEMS REMOVED FROM CONSENT - if any

3. **NOTICED PUBLIC HEARINGS**

3.1. **HEARING ON THE INTRODUCTION OF AN ORDINANCE AMENDING THE DEVELOPMENT AGREEMENT (DA 05-02) BETWEEN THE CITY OF CHICO AND MERIAM PARK, LLC AND ADOPTION OF A RESOLUTION APPROVING VESTING TENTATIVE SUBDIVISION MAP MERIAM PARK PHASE 1-4 and 9-10 (S 09-01); (Meriam Park, LLC)**

A proposal to amend the Development Agreement between the City of Chico and Meriam Park, LLC. The proposed amendments would update the Meriam Park Master Plan, provide for a Superior Courthouse and County offices within the project, and modify the phasing of certain public improvements identified in the Agreement as being associated with specific stages of development in the Meriam Park project. The tentative map would subdivide approximately 100 acres of the Meriam Park site into 187 lots that would subsequently be developed in compliance with a form-based "Traditional Neighborhood Development" code. In addition to development lots, the map would create five open space lots for public or private use. At its 1/07/10 meeting, the Planning Commission adopted a resolution recommending City Council approval of the proposal with conditions. The proposed amendments and tentative map are within the scope of the certified Final Environmental Impact Report for Meriam Park. ***(Report - Mike Sawley, Associate Planner)***

Recommendation – The Interim Planning Services Director recommends introductory reading of the ordinance by title only and adoption of the resolution.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING AMENDMENT NO. 2 TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHICO AND MERIAM PARK, LLC., AFFECTING CERTAIN PROPERTIES LOCATED GENERALLY NORTH OF EAST 20TH STREET, SOUTH OF STATE HIGHWAY 32, WEST OF BRUCE ROAD, AND EAST OF BEDFORD DRIVE; AP Nos. Various (DA 05-02); (CITY OF CHICO/MERIAM PARK, LLC) - Introductory Reading

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING VESTING TENTATIVE SUBDIVISION MAP MERIAM PARK PHASE 1-4 and 9-10 (S 09-01); (Meriam Park, LLC)

4. **REGULAR AGENDA**

4.1. **CONSIDERATION OF AMENDMENTS TO ADMINISTRATIVE PROCEDURE & POLICY (AP&P) NO. 27-10 TO ADDRESS SHORT SALES OF HOMES PURCHASED WITH THE CITY'S MORTGAGE SUBSIDY PROGRAM (MSP)**

A "short sale" is a transaction approved by lenders with liens on a borrower's property which allows the borrower to sell their property and repay lien holders less than the amount owed to them. The short sale is a compromise agreement that allows lien holders and borrowers to avoid foreclosure. Currently, AP&P 27-10 only allows City Manager/Executive Director approval of a reduced MSP loan payoff if the outstanding principal balance is repaid in full. However, short sales typically repay lenders only a portion of the outstanding principal balance. As short sales have become more common in the current real estate market, staff proposes approval guidelines for short sale properties on which the City or Agency has an MSP deed of trust. At its meeting of 1/26/10, the Finance Committee recommended (2-0-1, Flynn absent) forwarding this item to the Council with no recommendation. ***(Report - James Coles, Housing Manager)***

Recommendation – The Housing and Neighborhood Services Director recommends that AP&P 27-10 is amended with the following short sale approval guidelines for properties on which the Agency or City has an MSP deed of trust. The City Manager/Executive Director may approve a short sale if: (a) the borrower will not receive any profit from the sale; (b) no lien holder will receive repayment from the sale that exceeds the principal balance due of their loan; and (c) the City/Agency will receive at least 10% of the principal balance due on the MSP loan from the sale, or \$3,000, whichever is less. If the borrower's request does not comply with these conditions, the request shall be referred to the Finance Committee for its consideration.

4.2. **CONSIDERATION OF THE INTERNAL AFFAIRS COMMITTEE RECOMMENDATION REGARDING MEDICAL MARIJUANA**

At this meeting the Council will consider the 1/12/10 recommendation of the Internal Affairs Committee where the Committee discussed potential regulations for the cultivation of medical marijuana. (***Report-Lori Barker, City Attorney***)

Recommendation – The Internal Affairs Committee recommends (3-0) the Council consider a medical marijuana ordinance regarding the regulation of the cultivation of medical marijuana grown in residential zoning districts and zoning regulations for dispensaries.

4.3. **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 February 16, 2010 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by an adjourned regular meeting in the Council Chamber at 6:30 p.m.

CLOSED SESSION

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

1. **CALL TO ORDER**

1.1. Roll Call

1.2. Staff Present

2. **CLOSED SESSION MATTERS**

The City Council will convene as the Redevelopment Agency for consideration of Item 2.1.

ANNOUNCEMENT OF IDENTIFICATION OF NEGOTIATORS, PROPERTIES AND PARTIES WITH WHOM NEGOTIATORS MAY NEGOTIATE IN REGARD TO A CLOSED SESSION ITEM, CONFERENCE WITH REAL PROPERTY NEGOTIATOR

The Agency shall adjourn to closed session to discuss negotiations with the Agency's real property negotiator regarding the proposed acquisitions affecting the following:

<u>Property Owner</u>	<u>Street Address</u>	<u>Assessor's Parcel No.</u>
A. HAL LLC	1033 Park Avenue (Parcel 2 portion) 1051 Park Avenue 174 East 11 th Street	005-102-019 005-102-018 005-102-016
B. Michael Campos	168 East 11 th Street	005-102-017

The Agency's negotiator is Executive Director David Burkland and the parties with whom negotiations are proposed to be conducted are the respective property owners (or such persons designated as their agent for purpose of negotiations).

2.1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
(Gov. Code §54956.8)

Negotiator: David Burkland, Executive Director

Under Negotiation: Price and terms of payment for proposed acquisitions

Negotiating Parties: David Halimi and Michael Campos and/or their designated negotiator(s)



3. **ADJOURNMENT**

Reconvene as the City Council and adjourn to a City Council meeting in the Council Chamber.