



## SPECIAL NOTICE

**Precautions to address COVID-19 will apply to this meeting.**

**JULY 20, 2021**

### REGULAR MEETING OF THE CITY COUNCIL

The Governor has declared a State of Emergency to exist in California as a result of the threat of COVID-19 (aka the “Coronavirus”). While the Governor recently issued Executive Orders N-07-21, which lifted certain orders and associated restrictions, there are still public health directives in place. Executive Order N-08-21 also allows local legislative bodies to continue to hold meetings via conference calls while still meeting state transparency requirements. The City is providing multiple alternatives to viewing Council meetings and providing comments on items on the agenda, including:

- **Web Conference:** The meeting will be conducted live over the internet by PC or Smartphone. Members of the public can join the web-based virtual meeting. (See instructions, below.)
- **Email:** You can email comments to [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net) any time before the meeting, or before the hearing is closed on the agenda item, and your comments will be read aloud. Please identify the Agenda item you wish to address in your comments.
- **Public Attendance:** Due to COVID-19, residents are encouraged to attend the City Council meeting via web conference or submit comments by email. Consistent with public health guidelines for social distancing, seating is available in the Council Chamber. A facial covering will be available upon request by any attendee. Comments may be made from the Council Chamber podium. Please participate via web conference or email if you are ill or have been exposed to COVID-19.

To join the web base virtual meeting please follow these instructions:

**Click the link to sign up for the webinar at the specified time and date:**

[https://zoom.us/webinar/register/WN\\_CHqc7gK0TEOjfUnut4Ofpg](https://zoom.us/webinar/register/WN_CHqc7gK0TEOjfUnut4Ofpg)

**You will need to register for the teleconference. Once registered, the following information will pop up.**

**Yuba City Council Meeting – 7/20/2021**

Click here to [join the webinar](#).

Before joining, be sure to [check system requirements](#) to avoid any connection issues.

A confirmation email with information on how to join the webinar has been sent to you and with audio instructions. Questions or Comments? Email contact: [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net)

**Note – currently the video conferencing process does not allow for verbal comments, but does have a chat function where comments will be read. Comments will also be received via email to [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net).**



# AGENDA

JULY 20, 2021

## REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

**5:00 P.M. CLOSED SESSION:  
SUTTER ROOM/VIRTUAL**

**6:00 P.M. REGULAR MEETING  
COUNCIL CHAMBERS/VIRTUAL**

<b>MAYOR</b>	• <b>Marc Boomgaarden</b>
<b>VICE MAYOR</b>	• <b>Dave Shaw</b>
<b>COUNCILMEMBER</b>	• <b>Grace Espindola</b>
<b>COUNCILMEMBER</b>	• <b>Shon Harris</b>
<b>COUNCILMEMBER</b>	• <b>Wade Kirchner</b>
<b>CITY MANAGER</b>	• <b>Dave Vaughn</b>
<b>CITY ATTORNEY</b>	• <b>Shannon L. Chaffin</b>

**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  
CITY COUNCIL – CITY OF YUBA CITY  
JULY 20, 2021**

**5:00 P.M. – CLOSED SESSION - SUTTER ROOM/VIRTUAL  
6:00 P.M. – REGULAR MEETING - COUNCIL CHAMBERS/VIRTUAL**

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

**Public Comment:**

Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council in the Council Chamber 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.

**Closed Session**

- A. Conference with Labor Negotiators (Pursuant to Government Code, § 54957.6.)  
Agency designated representatives: Dave Vaughn, City Manager, Brad McIntire, Community Services Director, Spencer Morrison, Finance Director, Diana Langley, Public Works Director, Michael Jarvis, LCW  
Employee organizations: Yuba City Police Officers; Police Sergeants; Yuba City Fire Management; Police Sworn Mid Managers; and Public Employees Local No. 1
- B. Threats to Public Services or Facilities (Pursuant to Government Code section 54957(a).)  
Consultation with: City Attorney, and/or Yuba City Fire Chief, Police Chief, Director of Public Works, IT Manager, and City Manager
- C. Conference with Legal Counsel – Potential Litigation (Pursuant to Government Code Section 54956.9(d)(1).) One case

**Regular Meeting**

Call to Order

Roll Call:     \_\_\_\_\_ Mayor Boomgaarden  
                  \_\_\_\_\_ Vice Mayor Shaw  
                  \_\_\_\_\_ Councilmember Espindola  
                  \_\_\_\_\_ Councilmember Harris  
                  \_\_\_\_\_ Councilmember Kirchner

Invocation/Inspiration

Pledge of Allegiance to the Flag

Agenda Modifications/Approval of Agenda

### **CEREMONIAL/PRESENTATIONS**

1. **Yuba City Police Department K-9 Presentation**
2. **Sutter Performing Arts Association Proclamation**
3. **SAYLove Recognition**

### **COVID-19**

4. **Discussion and Action on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic**

### **Public Communication**

#### **5. Appearance of Interested Citizens**

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 considered 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.

- **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 comment on any item appearing on the agenda, please note the number of the agenda item about which you wish to comment. If you wish to comment on more than one item, please send an email for each item.

- **Items not listed on the Agenda**

Public comments on items not listed on the agenda will be considered at this time. Members of the public submitting written requests at least 24 hours prior to the meeting will normally be allotted 5 minutes to comment. In addition to written comments, the public is welcome to submit a video presentation in electronic format to be played during public comment or during the hearing item. Due to COVID-19 staffing limitations, formatting, and video streaming related issues, presentations must be submitted to the City Clerk no later than 5:00 p.m. the day before the meeting to ensure the presentation is available for streaming at the time the Agenda item is called. Presentations submitted after 5:00 p.m. the day before the meeting may not be available to be streamed at the meeting.

### **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.

#### **6. Minutes of July 6, 2021**

Recommendation: Approve the City Council minutes of July 6, 2021

**7. Fire Management (FM) Side Letter**

Recommendation: Adopt a Resolution approving a Side Letter with FM pertaining to the Fire Marshal's eligibility for supplemental administrative leave

**8. Proposition 1 Integrated Regional Water Management Subrecipient Agreement with Butte County**

Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Subrecipient Agreement with Butte County, allowing the allocation of Proposition 1 Integrated Regional Water Management grant funds for two of the City's Storm Water Resource Plan's recommended projects

**9. Small Wireless Facility Policy**

Recommendation: Adopt a Resolution establishing City Policy regarding Small Wireless Facilities in the public right-of-way and direct staff to place the Policy on the City's webpage

**10. Appointments to City of Yuba City Youth Commission**

Recommendation: Approve the Recommendation of Appointments to the Youth Commission

**11. California Senate Bill 1205 Compliance Report for State-Mandated Annual Fire Inspections**

Recommendation: Adopt a Resolution acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4

**12. Outdoor Dining Ordinance Adoption**

Recommendation: Adopt by title only an Ordinance to update the Yuba City Municipal Code to allow for continued use of Outdoor Dining by adding Article 49, Chapter 5 of Title 8, and amending Section 8-5.6102 of Article 61 of Chapter 5 of Title 8, of the Yuba City Municipal Code and waive the second reading

**13. Rescinding the Proclamation of Local Emergency (COVID-19)**

Recommendation: Adopt a Resolution rescinding the Proclamation of the Existence of a Local Emergency within the City (COVID-19)

**14. State Route 20 Corridor Improvements Project – Phase 2 Time Extension Request**

Recommendation: Adopt a Resolution approving a time extension request letter extending the Sacramento Area Council of Governments Community Design Program Category 3 funds Memorandum of Understanding 9 months (to September 30, 2022) and authorizing the Public Works Director to execute an amended Memorandum of

Understanding with the Sacramento Area Council of Governments for Community Design Grant Funding for the Highway 20 Revitalization Corridor Enhancement Project upon SACOG Board approval of extension request

## **Business Items**

### **15. Community Sponsorship Requests**

- Recommendation:
- A. Consider a monetary Sponsorship request from the Beale Military Liaison Council of \$2,500.00 for support in enhancing the quality of life for Beale Airmen and their families
  - B. Consider In-Kind Sponsorship Requests, then adopt a Resolution waiving the facility use fees for the following organizations:
    - 1. The Acting Company for \$4,000.00 for Shakespeare in the Park at Gauche Aquatic Park
    - 2. The Alzheimer's Association for \$1,025.00 for the walk to End Alzheimer's at Gauche Aquatic Park
    - 3. The Yuba-Sutter-Colusa United Way of \$1,360.00 for the Community Resource Fair at Gauche Aquatic Park
    - 4. The Yuba-Sutter-Colusa United Way of \$1,075.00 for the 5k/10k Spooktacular River Run at Gauche Aquatic Park

### **16. Enterprise Fleet Management Lease Agreement**

- Recommendation: Adopt a Resolution authorizing the City Manager to enter into a contract with Enterprise FM Trust, Delaware statutory trust, to lease City vehicles

### **17. Fire Apparatus Purchase Agreement**

- Recommendation:
- A. Adopt a Resolution authorizing the City Manager to enter into a sole source agreement with Golden State Fire Apparatus to purchase two City fire apparatus, utilizing Sourcwell pricing
  - B. Authorize the City Manager to advance funds for the purchase using an interim appropriation with subsequent reimbursement from the equipment lease financing after closing following the August 17, 2021 Council Meeting
  - C. Authorize the Finance Director to appropriate \$1,906,688.33 in the Vehicle Replacement Fund, 6610-69415, for the purchases and 620-49010 for the reimbursement

### **18. Consideration of inclusion of delinquent charges and penalties for water and wastewater services on secured tax roll**

- Recommendation: A. Conduct a Public Hearing, and after consideration

- B. Adopt a Resolution for the inclusion of delinquent charges and penalties for water and wastewater services on the secured tax roll in the same manner as the general taxes and directing that a lien also be placed on the subject properties

**19. Levying Assessments for Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area)**

- Recommendation:
- A. Conduct a Public Hearing, and
  - B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2021-22, pursuant to the Landscaping and Lighting Act of 1972

**20. Levying Assessments for Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and 69 subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District)**

- Recommendation:
- A. Conduct a Public Hearing.
  - B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2021-22 for the Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, & 6 (Town Center, 69 subdivisions throughout Yuba City including the Palisades Subdivisions and Butte Vista neighborhood, and commercial district)

**21. Levying Assessments for Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area)**

- Recommendation:
- A. Conduct a Public Hearing.
  - B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2021-22 within Yuba City Residential Street Light Maintenance District No. 1 (Tierra Buena) and Residential Street Light Maintenance District No. 1 (Walton Area)

**22. Community Facilities District (CFD No. 2021-1) – Ordinance Authorizing the Levy of a Special Tax within the District**

- Recommendation: Waive the first reading and introduce an Ordinance of the City Council of the City of Yuba City Acting in its Capacity as the Legislative Body of the City of Yuba City Community Facilities District No. 2021-01 (Municipal Services) authorizing the Levy of a Special Tax within said District by title only

**23. 2020 Urban Water Management Plan and Water Shortage Contingency Plan**

- Recommendation:
- A. Conduct a Public Hearing; and
  - B. Adopt a Resolution adopting the 2020 Urban Water Management Plan and authorizing the Public Works Director to submit the Plan to the California Department of Water Resources

- C. Adopt a Resolution adopting the Water Shortage Contingency Plan and authorizing the Public Works Director to submit the Plan to the California Department of Water Resources

**24. Emergency Water Restrictions to Achieve 15% Voluntary Conservation**

Recommendation: Adopt a Resolution declaring that water supply conditions are such that they dictate and justify the need for the implementation of voluntary conservation measures to achieve 15% conservation, which aligns with the implementation of State 2 of the Water Shortage Contingency Plan

**25. Garden Highway Trunk Line Rehab Phase I Project (Plans & Specifications)**

Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption, approving the plans and specifications for the Garden Highway Trunk Line Rehab Phase I Project and authorizing advertisement for bids on the project

**26. Public Employees Union, Local 1 Memorandum of Understanding (MOU)**

- Recommendation:
- A. Adopt a Resolution approving a three-year Memorandum of Understanding with the Public Employees Union, Local 1
  - B. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$225,300
  - C. Approve a supplemental appropriation to Salary and Benefits, Fund 507 in the amount of \$226,400
  - D. Approve a supplemental appropriation to Salary and Benefits, Fund 518 in the amount of \$309,500

**Future Agenda Items**

**27. Future Agenda Items**

**Reports and Communications**

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

**28. City Council Reports**

- Councilmember Kirchner
- Councilmember Harris
- Councilmember Espindola
- Vice Mayor Shaw
- Mayor Boomgaarden

**Adjournment**