



AGENDA

NOVEMBER 15, 2022

**REGULAR MEETING CITY COUNCIL, THE SUCCESSOR HOUSING
AGENCY TO THE REDEVELOPMENT AGENCY, AND THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
CITY COUNCIL
CITY OF YUBA CITY**

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

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

MAYOR	• Dave Shaw
VICE MAYOR	• Wade Kirchner
COUNCILMEMBER	• Marc Boomgaarden
COUNCILMEMBER	• Grace Espindola
COUNCILMEMBER	• Shon Harris
CITY MANAGER	• Diana Langley
CITY ATTORNEY	• Shannon L. Chaffin

**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***

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REGULAR MEETING CITY COUNCIL, THE SUCCESSOR HOUSING AGENCY TO THE
REDEVELOPMENT AGENCY, AND THE SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY
CITY COUNCIL - CITY OF YUBA CITY
NOVEMBER 15, 2022
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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, subject to staff's availability to post the documents before the meeting.

The Council Chambers will be open for public attendance and participation. The meeting will also be live streamed for public viewing, but not participation, at the following link: https://us06web.zoom.us/webinar/register/WN_nFhxDCCRK6mXuUwe1tREw. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council prior to the meeting. Please identify the Agenda item(s) addressed by the comments.

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. Confer with Real Property Negotiator (Government Code § 54956.8)
Property Public Utility Easement on APN 23-110-007 located on the east side of Garden Highway at Stewart Road, 2700 Garden Highway, Yuba City, California 95991
Negotiator Diana Langley, City Manager
Negotiating parties Michael Dennis Netherby and Ann Shealy Netherby
Under negotiation Price and terms of payment

- B. Conference with Labor Negotiators (Pursuant to Government Code, Section 54957.6.)
Agency designated representatives Diana Langley, City Manager, Jesse Alexander, Fire Chief, Natalie Springer, Human Resources Director, Brad McIntire, Community Services Director, Spencer Morrison, Finance Director, Michael Jarvis, LCW

Employee Organizations Firefighters Local 3793

- C. Conference with real property negotiator (Govt. Code § 54956.8)
Properties:

APN: 57-150-001, 0.47 acres located at 217 S Walton Avenue, Yuba City, CA 95991
APN: 57-150-050, 1.0 acres located at 211 S Walton Avenue, Yuba City, CA 95991
APN: 57-220-065, 0.11 acres generally located on S Walton Avenue between 211 and 217 S Walton Avenue, Yuba City CA 95991
Negotiator: Diana Langley, City Manager
Negotiating parties: Habitat for Humanity
Under negotiation: Price and terms of payment

Regular Meeting, the Successor Housing Agency to the Redevelopment Agency, and the Successor Agency to the Redevelopment Agency

Call to Order

Roll Call

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

Invocation/Inspiration

Pledge of Allegiance to the Flag

City Attorney's Report on Closed Session Items, City Attorney Shannon Chaffin

Agenda Modifications/Approval of Agenda

Ceremonial Presentations

1. **Native American Heritage Month Proclamation**
2. **Sam Brannan Park Presentation**

Public Communication

3. **Appearance of Interested Citizens**

You are welcome and encouraged to participate in this meeting. Public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda will be considered at this time. Public comment is limited to three minutes per speaker. Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted five minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

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 request specific items to be discussed or removed from the Consent Calendar for individual action.

- 4. Minutes of the November 1, 2022 meeting**
Recommendation: Approve the November 1, 2022 minutes
- 5. Millennium Family Entertainment - Department of Alcoholic Beverage Control Application**
Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the issuance of a Type 40 (on-sale beer) Alcoholic Beverage Control (ABC) License at 901 Spiva Avenue, Suite A (Millennium Family Entertainment Center)
- 6. Homeland Security Grant**
Recommendation: A. Adopt a Resolution authorizing the Fire Chief to enter into a Memorandum of Agreement with the County of Sutter/Sutter Operational Area to accept items purchased by Sutter County on behalf of the Yuba City Fire Department, upon review and approval by the City Attorney

B. Authorize the Fire Chief to accept items purchased by Sutter County/Sutter Operational Area under the 2020 & 2021 Homeland Security Grant Award
- 7. Fire Management Memorandum of Understanding**
Recommendation: Adopt a Resolution approving the Fire Management Memorandum of Understanding (MOU)
- 8. Bargaining Units Dental and Vision Side Letters**
Recommendation: Adopt a Resolution approving side letters with all bargaining units to enhance dental and vision benefits and approving the enhanced dental and vision benefits for unrepresented classifications
- 9. Water Treatment Plant Surveillance Camera Replacement & Purchase**
Recommendation: A. Approve the following surveillance camera replacement & purchase:
 1. Two (2) replacement Avigilon surveillance cameras
 2. One (1) Avigilon surveillance camera
B. Adopt a Resolution awarding the sole source purchase and installation of two (2) replacement Avigilon surveillance cameras and one (1) new Avigilon surveillance camera to Gaynor Telesystems, Inc. of Chico, CA in the amount of \$17,147 plus a 10% contingency, with the finding that it is in the best interest of the City. The total should not exceed the amount of \$18,862
- 10. 2023 City Council Meeting Calendar**
Recommendation: Cancel the January 3, July 4, and August 1, 2023 Regular Council Meetings and provide for Special Workshops to be scheduled as needed
- 11. Fiscal Year 2023-2024 Waste Tire Enforcement Grant Application**

Recommendation: Adopt a Resolution authorizing Yuba County, as the Lead Agency of the Yuba-Sutter Local Enforcement Agency, to perform Waste Tire Enforcement activities on behalf of the City of Yuba City and submit a Collaborative Application for the Waste Tire Enforcement Grant to CalRecycle for Fiscal Year 2023-24

12. Appointments to the City of Yuba City Youth Commission

Recommendation: Approve the Recommendations for Appointments to the Youth Commission

13. Records Retention Schedule for the City of Yuba City

Recommendation: Adopt a Resolution approving the Records Retention Schedule for the City of Yuba City

Business Items

14. Annual Report from the Downtown Yuba City Business Improvement District and Proposed Levy of Annual Assessment for 2023

Recommendation: A. Adopt a Resolution Accepting and Approving the 2022-2023 Annual Report of the Downtown Yuba City Business Improvement District

B. Adopt a Resolution of Intention to Levy and Collect 2023 Annual Assessments and set a Public Hearing for December 20, 2022

15. Repeal and Replace the Massage Establishment and Therapist Ordinance by title only

Recommendation: Introduce an Ordinance to repeal and replace Yuba City Municipal Code Title 5, Chapter 3 to include administrative penalties, revocation of permits, and clarity of ordinance for massage establishments/therapists by title only and waive the first reading

16. Emergency Operations Plan

Recommendation: Adopt a Resolution approving the City of Yuba City's Emergency Operations Plan

17. Fire Prevention Ordinance and the adoption of the 2022 California Fire Code based on the 2021 Edition of the International Fire Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing and Re-Enacting Chapter 5 of Title 4 Regarding Fire Prevention and the 2021 International Fire Code by title only and waive the first reading

18. Building Regulations Ordinance and the adoption of the 2022 edition of the California Building Standards Code

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Repealing Chapters 1 Through Chapter 14 of Title 7 of the Yuba City Municipal Code and Re-Enacting Chapters 1 Through Chapter 14 of Title 7 Adopting by Reference the 2022 California Building Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code,

2022 California Energy Code, 2022 California Historical Code, 2022 California Existing Building Code, 2022 California Referenced Standards Code, 2022 California Residential Building Code, 2022 California Green Building Standards (CALgreen) Code, 2021 Uniform Swimming Pool Spa & Hot Tub Code, Etc., With Certain Amendments, Additions and Deletions Thereto, by title only and waive the first reading

19. Expedited Permitting for Electric Vehicle Charging Systems, Ordinance Update pursuant to Assembly Bill 970

Recommendation: Introduce an Ordinance of the City Council of the City of Yuba City Amending Section 7-17.04 (Permit Application Processing) of Chapter 17, Title 7 of the Yuba City Municipal Code to implement the provisions of Assembly Bill 970 by title only and waive the first reading

20. Declaration of Surplus Land – Successor Housing Agency to the Yuba City Redevelopment Agency Properties

Recommendation: Adopt a Resolution declaring certain Successor Housing Agency-owned properties to be surplus land and directing the City Manager to follow the procedures set forth in the Surplus Land Act for the sale of such properties

Future Agenda Items

21. Future Agenda Items

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

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

22. City Manager's Report

23. City Council Reports

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

Adjournment