

**MINUTES (draft)
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
NOVEMBER 17, 2020
5:00 P.M. – CLOSED SESSION – SUTTER ROOM/VIRTUAL
6:00 P.M. – REGULAR MEETING**

Closed Session

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Harris at 5:00 pm

Roll Call

Present: Mayor Harris and Councilmembers Boomgaarden, Cardoza, Espindola and Shaw

Public Comment

No public comments were received

Closed Session – Sutter Room/Virtual

- A. Public Employee Regarding Appointment/Employment (Pursuant to Government Code, § 54957.) Title: Permanent City Manager
- 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, or Director of Public Works/Interim City Manager

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Harris at 6:02 pm

Roll Call

Present: Mayor Harris and Councilmembers Boomgaarden, Cardoza, Espindola and Shaw

Invocation/Inspiration

Councilmember Dave Shaw delivered the Invocation

Pledge of Allegiance to the Flag

Jackie Sillman led the Pledge of Allegiance

City Attorney's Report on Closed Session Items

No reportable action was taken

Agenda Modifications/Approval of Agenda

No modifications were made

Ceremonial Presentations

1. **Small Business Saturday Proclamation**
The proclamation was presented to Sandee Drown, Downtown Business Association President
2. **Outgoing City Clerk, Tricia Buckland Proclamation**
3. **Yuba City Police Department Homeless Presentation**
Presentation by: Yuba City Homeless Liaison Officer, Troy Koski

COVID-19

4. **Discussion and Action on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic**
Interim City Manager, Diana Langley presented the COVID-19 update

Public Communication

5. **Appearance of Interested Citizens**
Sandee Drown spoke
Tom Burns spoke

Consent Calendar

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

6. **Minutes of November 3, 2020**
Approve the City Council Regular minutes of November 3, 2020
7. **Fiscal Year 2020-21 Waste Tire Enforcement Grant Application**
Adopt a **Resolution 20-120** 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 2020-21
8. **Implement the new California minimum wage rate effective January 1, 2021**
Adopt a **Resolution 20-121** to adjust the City's salary schedule to comply with the new California wage requirements effective January 1, 2021
9. **Presentation of Investment Report – Quarter Ended September 30, 2020**
Spencer Morrison presented the Quarterly Investment Report
10. **Deferred Improvement Agreement – DPM, a California Limited Partnership [APN 63-010-010, 2700 Colusa Highway]**
Adopt a **Resolution 20-122** approving the execution of a Deferred Improvement Agreement with DPM, a California Limited Partnership providing for street and drainage improvements improvements along South Colusa Frontage Road fronting its property identified by APN 63-010-010

11. Amendment No. 10 (The Water Management Amendment) to the Water Supply Contract between the State of California Department of Water Resources and the City of Yuba City to Supplement and Clarify Water Management Tools Regarding Transfers and Exchanges of SWP Water and Making Responsible Agency Findings Pursuant to CEQA for the Final Environmental Impact Report for the State Water Project Supply Contract Amendments for Water Management, and Adopting CEQA Findings and Statement of Overriding Considerations

Adopt a **Resolution 20-123** authorizing the City Manager to execute Amendment No. 10 (The Water Management Amendment) to the Water Supply Contract between the State of California Department of Water Resources and the City of Yuba City to Supplement and Clarify Water Management Tools Regarding Transfers and Exchanges of SWP Water and Making Responsible Agency Findings Pursuant to CEQA for the Final Environmental Impact Report for the State Water Project Supply Contract Amendments for Water Management, and Adopting CEQA Findings and Statement of Overriding Considerations

The motion was passed with a unanimous vote

Business Items

12. Annual Report from the Downtown Yuba City Business Improvement District and Proposed Levy of Annual Assessment for 2021

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

- A. Adopt a **Resolution 20-124** Accepting and Approving the 2020-2021 Annual Report of the Downtown Yuba City Business Improvement District
- B. Adopt a **Resolution 20-125** of Intention to Levy and Collect 2021 Annual Assessments and set a Public Hearing for December 15, 2020

The motion was passed with a unanimous vote

13. Change Land Use for a Vacant Parcel at 845 Louise Avenue

Councilmember Boomgaarden recused himself

Tom Burns of Yuba City spoke

Councilmember Espindola moved and Councilmember Shaw seconded the motion to:

Adopt an **Ordinance 010-20** of the City Council of the City of Yuba City amending the zoning from the General Commercial (C-3), x-5c (Combining District) zone district to the Multiple-Family Residential (R-3) zone district for approximately 0.83 acres; 845 Louise Avenue, assessor parcel number 52-141-036, and waive the second reading

The motion was passed with a unanimous vote

14. 2021 City Council Meeting Calendar

Councilmember Cardoza moved and Councilmember Espindola seconded the motion to:

Cancel the January 5th and August 3rd 2021 Regular Council Meetings and provide for Special Workshops to be scheduled as needed

The motion was passed with a unanimous vote

15. Water Treatment Plant (WTP) Membrane Filter Replacement

Councilmember Espindola moved and Councilmember Shaw seconded the motion to:

- A. Adopt a **Resolution 20-126** authorizing the purchase of 800 Memcor S10N membrane filtration modules and related appurtenances from DuPont Water Solutions in the amount of \$686,158.50, with the finding that it is in the best interest of the City, and adoption of a Class 1 (Existing Facilities) Categorical Exemption per CEQA
- B. Authorize the Finance Director to make a budget transfer in the amount of \$686,158.50 from Unallocated Water Reserve Funds to CIP Account No. 1227 (Recurring WTP & Water Storage Improvements)

The motion was passed with a unanimous vote

16. Safe Routes to School Plan (Adoption)

Tom Burns of Yuba City spoke

Councilmember Shaw moved and Councilmember Cardoza seconded the motion to:

Adopt a **Resolution 20-127** adopting the Safe Routes to School Plan

The motion was passed with a unanimous vote

Future Agenda Items

17. Future Agenda Items

No recommendations were made

Reports and Communications

18. City Council Reports

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

Adjournment

Mayor Harris adjourned the Regular Meeting of the City Council at 8:07 pm

ATTEST:

Marc Boomgaarden, Mayor

Ciara Wakefield, Deputy City Clerk

MINUTES (draft)
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
DECEMBER 1, 2020
5:00 P.M. – CLOSED SESSION – SUTTER ROOM/VIRTUAL
6:00 P.M. – REGULAR MEETING
BOYD HALL, 1895 LASSEN BLVD, YUBA CITY

Closed Session

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Harris at 5:00 pm

Roll Call:

Present: Mayor Harris and Councilmembers Boomgaarden, Cardoza, Espindola and Shaw

Public Comment

None

Closed Session – Sutter Room/Virtual

- A. Government Code Section 54956.95
Liability Claims
Claimant: Gregory Gross
Department Claimed Against: Yuba City Police Department

Regular Meeting – Boyd Hall

The Regular Meeting of the City Council was called to order by Mayor Harris at 6:07 pm

Roll Call

Present: Mayor Harris and Councilmembers Boomgaarden, Cardoza, Espindola and Shaw

Invocation/Inspiration

Pastor Bob Fischetti delivered the Invocation

Pledge of Allegiance to the Flag

Yuba City Fire Chief, Jesse Alexander led the Pledge of Allegiance

City Attorney's Report on Closed Session Items

No reportable action was taken

Agenda Modifications/Approval of Agenda

No modifications were made

Public Communication

1. Appearance of Interested Citizens

No public comment

Business from the City Council

2. Comments and Presentations from Outgoing Mayor Shon Harris

Vice Mayor Harris presented Mayor Harris with a Proclamation

3. Farewell and Presentation to Councilmember Cardoza

Mayor Harris presented Councilmember Cardoza with a Proclamation

Election Results

4. Certification of Election Results

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

Adopt **Resolution 20-128** certifying the results of the November 3, 2020 General Municipal Election

The motion was passed with a unanimous vote

5. Administer Oaths of Office

- City Council-elect Wade Kirchner
Oath given by his father, Leroy Kirchner
- City Clerk-elect Jackie Sillman
Oath given by her sister, Mary Langsdorf
- City Treasurer-elect Spencer Morrison
Oath given by Deputy City Clerk, Ciara Wakefield

Further Business from the City Council

6. Comments from Councilmembers

- Councilmember Espindola
- Councilmember Kirchner

7. Election of New Mayor

Councilmember Espindola moved and Councilmember Shaw seconded the motion to:

Elect Marc Boomgaarden as Mayor

Roll Call:

Ayes: Councilmembers Espindola, Harris, Kirchner and Vice-Mayor Shaw

Noes: None

The motion was passed with a unanimous vote

Election of New Vice-Mayor

Councilmember Espindola moved and Councilmember Harris seconded the motion to:

Elect Dave Shaw as Vice Mayor

Roll Call:

Ayes: Councilmembers Espindola, Harris, Kirchner and Mayor Boomgaarden

Noes: None

The motion was passed with a unanimous vote

8. Comments from Vice-Mayor Dave Shaw

9. Comments from Mayor Marc Boomgaarden

Adjournment

Mayor Boomgaarden adjourned the Regular Meeting of the City Council at 7:26 pm

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

MINUTES (DRAFT)
EMERGENCY MEETING
CITY COUNCIL – CITY OF YUBA CITY
DECEMBER 2, 2020, 5:00 P.M.

Emergency Meeting – Council Chambers, Sutter Room and Virtual

Call to Order

The Emergency Meeting of the City Council was called to order in the Council Chambers by Mayor Boomgaarden at 5:00PM

Roll Call

Present: Mayor Boomgaarden and Councilmembers Espindola, Harris, Kirchner; Vice-Mayor Shaw arrived at 5:01PM

Absent: None

Public Comment

1. Appearance of Interested Citizens

Heather Esemann commented via ZOOM

Closed Session

2. 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, or Director of Public Works/Interim City Manager

Councilmember Harris moved and Councilmember Espindola seconded the motion to hold a meeting in Closed Session for this item.

The motion was passed with a unanimous vote.

Mayor Boomgaarden and Councilmembers adjourned to Closed Session in the Sutter Room at 5:04PM

Open Session resumed in the Council Chambers at 7:09PM

City Attorney's Report on Closed Session Items

No reportable action

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

No action was taken

Tim Core asked a question via ZOOM

City Attorney, Shannon Chaffin, explained the procedures for holding Closed Session during an Emergency Meeting.

Adjournment

Mayor Boomgaarden adjourned the Emergency Meeting of the City Council at 7:15PM

Note: This Emergency Meeting was called to address rapid changes and a developing emergency situation related to a dramatic increase in infections related to the COVID-19 pandemic, and is based on information including that released today by the Bi-County Public Health Office as well as a further emergency order anticipated to be issued today from Governor Newsom. Among others, the meeting is called to allow the City Council to take action to respond to the latest information provided by the Bi-County Public Health Office the anticipated Governor's order regarding the surge in COVID cases, so the City may respond to this updated emergency information that severely impacts both public health and safety. Prompt action is necessary due to the disruption or threatened disruption of public facilities or services. New factors include:

- *Over 3,600 cases of COVID-19 in Sutter County, with over a 20% test positivity rate;*
- *A spike in hospitalized cases and deaths;*
- *A more restrictive stay-at-home order anticipated to be issued by the Governor; and*
- *Impacts on Sutter County, Yuba County, and City of Yuba City operations.*

The following local media outlets were notified by phone regarding the December 2, 2020 Emergency City Council Meeting:

- Appeal Democrat at 3:59PM (David Wilson)
- KUBA at 4:01PM (Lilly)

No additional local media outlets exist.