



## SPECIAL NOTICE

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

**MARCH 16, 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”). The Governor also issued **Executive Order N-33-20**, which directs Californians to follow public health directives including canceling large gatherings. The Executive Order also allows local legislative bodies 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. If an attendee does not have a facial covering, one will be provided. 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\\_KHXdGIXwQXW7t28HYa-21w](https://zoom.us/webinar/register/WN_KHXdGIXwQXW7t28HYa-21w)

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

### Yuba City Council Meeting – 3/16/2021

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).**



**\*\*AMENDED AGENDA\*\***

**MARCH 16, 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***

**AMENDED AGENDA  
REGULAR MEETING  
CITY COUNCIL - CITY OF YUBA CITY  
MARCH 16, 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 Legal Counsel—Anticipated Litigation**

Significant exposure to litigation pursuant to paragraph (2) of Government Code Section 54956.9(d): (One case)

Existing facts and circumstances for closed session consist of the receipt of an oral threat of litigation by Chad Lizardo on March 2, 2021 to the City Attorney, and a follow up email from Mr. Lizardo on March 5, 2021. The email is available for public inspection.

**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, City Manager

**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

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

## Agenda Modifications/Approval of Agenda

### **COVID-19**

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

- ***Presentation on COVID-19 Federal Relief – American Rescue Plan Act***

### **Public Communication**

#### **2. 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.

#### **3. Minutes of March 1 and 2, 2021**

Recommendation: Approve the City Council minutes of March 1 and 2, 2021

#### **4. Franklin Avenue Improvements Project (18-01) – Contingency Increase**

Recommendation: A. Adopt a Resolution authorizing an increase in the construction contingency of \$210,000, with a finding that it is in the best interest of the City

- B. Authorize a supplemental appropriation and direct the Finance Director to make a budget transfer in the amount of \$210,000 from Unallocated TDA Funds to CIP Account No. 1242 (Franklin Avenue Pedestrian Improvements)

**5. Feather River Air Quality Management District (FRAQMD) Agreement No. VF 20-04 (Blue Sky Grant) for the 2021 School Crossing Improvements Project**

- Recommendation:
- A. Adopt a Resolution authorizing the City Manager to execute Feather River Air Quality Management District (FRAQMD) Agreement No. VF 20-04 to accept \$45,000 in Blue Sky Grant funds for the 2021 School Crossing Improvement Project
  - B. Authorize the Finance Director to make supplemental appropriations as necessary to facilitate the acceptance of the \$45,000 in Blue Sky Grant funds

**6. Capital Acquisition Request – Wheel Balancer**

- Recommendation:
- A. Approve a mid-year capital acquisition to purchase a wheel balancer for the Fleet Division from Tech Supply, Inc. of Hayward, CA
  - B. Authorize budget transfers in the amount of \$620.26 from Account No. 6605-62801 and \$7,803.68 from Account No. 6605-63401 to Account No. 6605-69201

**7. Type 21 Alcohol License for DVR Investments LLC, Mobil Mart, 248 Bridge Street**

- Recommendation:
- A. Adopt a Resolution making a finding of Public Convenience or Necessity (PCN) for issuance of a Type 21 Alcoholic Beverage Control (ABC) License for DVR Investments LLC located at 248 Bridge Street
  - B. Authorize the Development Services Director to execute associated documents

**Business Items**

**8. 2021 ADA Improvements Project (Award Construction Contract)**

- Recommendation: Adopt a Resolution awarding a construction contract to David Hyatt DBA Hyatt Contracting of Marysville, CA in the amount of their total bid of \$284,992.00 and authorizing the City Manager to execute the contract on behalf of the city, subject to review and approval to legal form by the City Attorney

**9. East Sanborn Estates Subdivision (Subdivision Agreement and Final Map Approval)**

- Recommendation: Adopt a Resolution approving the execution of a Subdivision Improvement Agreement with Interwest Homes Corp. providing for public improvements associated with the East Sanborn Estates Subdivision Map, approving the East Sanborn Estates Final Map, accepting dedication of rights-of-way and easements shown

thereon and authorizing the filing of the map. [Subdivision is located north of Jodi Drive, east of Sanborn Road, and south of La Rabyn Way]

**10. East Sanborn Estates Subdivision (Annexation #2 of property into CFD 2017-1)**

- Recommendation:
- A. Adopt a Resolution stating the intention to annex certain territory into City of Yuba City Community Facilities District 2017-1 (Municipal Services), setting a time and date for the Public Hearing thereon, and adopting a boundary map showing the territory proposed to be annexed
  - B. Hold a Public Hearing for the annexation of Tentative Map No. 20-04 into CFD 2017-1
  - C. Adopt a Resolution authorizing Annexation No. 2 of territory into City of Yuba City Community Facilities District 2017-1 (Municipal Services), authorizing the levy of a special tax, and submitting the levy of tax to the qualified electors
  - D. Hold an election Public Hearing for the annexation of Tentative Map No. 20-04 into CFD 2017-1
  - E. Adopt a Resolution making certain findings, declaring and certifying the results of an election and adding property as City of Yuba City Community Facilities District 2017-1 (Municipal Services), Annexation No. 2

**11. Sanborn Parcel Map – Annexation #3 of property to CFD 2017-1 to fund Municipal Services**

- Recommendation:
- A. Adopt a Resolution stating the intention to annex certain territory into City of Yuba City Community Facilities District 2017-1 (Municipal Services), setting a time and date for the Public Hearing thereon, and adopting a boundary map showing the territory proposed to be annexed
  - B. Hold a Public Hearing for the annexation of Tentative Parcel Map No. 17-04 into CFD 2017-1
  - C. Adopt a Resolution authorizing Annexation No. 3 of territory into City of Yuba City Community Facilities District 2017-1 (Municipal Services), authorizing the levy of a special tax, and submitting the levy of tax to the qualified electors
  - D. Hold an election Public Hearing for the annexation of Tentative Parcel Map No. 17-04 into CFD 2017-1
  - E. Adopt a Resolution making certain findings, declaring and certifying the results of an election and adding property as City of Yuba City Community Facilities District 2017-1 (Municipal Services), Annexation No. 3

**12. Appeal of the Planning Commission's approval of Tentative Subdivision Map (TSM) 20-05, Domain Estates Phase 3**

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City denying the appeal and upholding the Planning Commission's decision to approve Tentative Subdivision Map 20-05, Domain Estates Phase 3 (APN 59-530-027) and associated Mitigated Negative Declaration

**13. Syringe Exchange Program Regulatory Consistency**

Recommendation: Authorize the Mayor to submit an objection to the California Department of Public Health's efforts to eliminate local control under a series of regulatory actions including DPH-18-015 (Syringe Exchange Program Regulatory Consistency) related to needle exchange programs

**Future Agenda Items**

**14. 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

**15. City Council Reports**

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

**Adjournment**