



SPECIAL NOTICE

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

MAY 18, 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 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_tWlEQeyTJK5NXyfAvq7Dg

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

Yuba City Council Meeting – 5/18/2021

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

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.



AGENDA

MAY 18, 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

MAYOR	• Marc Boomgaarden
VICE MAYOR	• Dave Shaw
COUNCILMEMBER	• Grace Espindola
COUNCILMEMBER	• Shon Harris
COUNCILMEMBER	• Wade Kirchner
CITY MANAGER	• Dave Vaughn
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***

**AGENDA
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
MAY 18, 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, 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, Natalie Springer, Human Resources Director, Brad McIntire, Community Services Director, Spencer Morrison, Finance Director, Diana Langley, Public Works Director, Michael Jarvis, LCW, Jack Hughes, LCW
Employee organizations: Yuba City Police Officers; Police Sergeants; Yuba City Firefighters Local 3793; Yuba City Fire Management; First Level Managers; Mid Managers; Police Sworn Mid Managers; and Public Employees Local No. 1
Unrepresented employees: Confidential Employees; Executive Services Employees
- 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
- C. Conference with Legal Counsel—Existing Litigation; Govt. Code §54956.9
Diana Barrett v. City of Yuba City, et.al. CVCS20-0001102

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

CEREMONIAL PRESENTATIONS

1. **Grateful Nation Remembers Proclamation**
2. **State Route 99 at Live Oak Blvd Cal Trans Presentation**

COVID-19

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

Public Communication

4. 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.

5. Minutes of May 4, 2021

Recommendation: Approve the City Council minutes of May 4, 2021

6. 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)

7. Presentation of Investment Report – Quarter Ended March 31, 2021

Recommendation: Note & File Quarterly Investment Report

8. Representation on the Yuba City Planning Commission and the Sutter County Planning Commission

Recommendation: A. Confirm the appointment of Yuba City Planning Commissioner Stacy Brookman to the Sutter County Planning Commission and forward that appointment to the Sutter County Board of Supervisors

B. Confirm the Sutter County Planning Commission appointment of Richard Doscher to represent Sutter County on the City of Yuba City Planning Commission

9. Appointments to City of Yuba City Parks and Recreation Commission

Recommendation: Approve the Recommendation for Appointment to the Parks and Recreation Commission

Business Items

10. Feather River Parkway Phase 1 Repairs (Award Construction Contract)

Recommendation: Adopt a Resolution awarding a construction contract to R&R Horn Contractors, Inc. of Chico, CA in the amount of their total bid of \$550,550.00, 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, and authorizing the Finance Director to record a supplemental appropriation in the amount of \$640,000.00 from Development Impact Fee funds to CIP Account No. 1273 for construction, contingency, and construction management costs

11. Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project – Final Design Authorization

Recommendation: Adopt a Resolution to award Amendment No. 4 to the Professional Services Agreement with CH2M Hill Engineers, Inc. to initiate Final Design activities for the Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project, including new scope of work

tasks identified from the Predesign activities and authorize the City Manager to execute the amendment following approval as to form by the City Attorney, with the finding that it is in the best interest of the City

12. Formation of a Community Facilities District (CFD No. 2021-1) to fund Municipal Services and provide for future annexation by unanimous written consent of the electors

- Recommendation:
- A. Adopt a Resolution adopting policies related to Community Facilities Districts for services
 - B. Adopt a Resolution declaring the intention to establish City of Yuba City Community Facilities District 2021-1 (Municipal Services), authorizing the levy of a special tax therein to finance certain services, and authorizing the annexation of future territory in the future annexation area to the district by unanimous written approval

13. Amended and Restated Resolution to Confirm Participation in the Statewide Community Infrastructure Program (SCIP)

- Recommendation:
- A. Conduct a Public Hearing and after consideration:
 - B. Adopt the proposed Amended and Restated Resolution making certain findings and authorizing certain matters necessary to participate in the Statewide Community Infrastructure Program (SCIP)

14. City Sponsorship Requests

- Recommendation:
- A. Consider a Sponsorship request from the Yuba Sutter Chamber of Commerce of \$1,100.00 In-kind for use of the Senior Center Facility
 - B. Consider a Sponsorship request from the Downtown Business Association of \$10,500.00 for the Summer Stroll event
 - C. Consider a Sponsorship request from the Downtown Business Association of \$1,900.00 In-kind for the Summer Stroll street closure services

15. Richland Village Affordable Housing – Regional Housing Authority Funding Request

- Recommendation:
- A. Approve a funding amount contingent on the successful project approval from the state Affordable Housing and Sustainable Communities program, for a proposed multiphase 176-unit affordable housing complex and authorize the City Manager to execute any associated documentation related to the commitment of the funding
 - B. Establish a funding commitment time duration of two years, to coincide with the validity of the initial development plan approval

period. Any extensions of the funding duration are to be null and void without reconsideration by Council

- C. Adopt a Resolution to execute a Cooperation Agreement between The City of Yuba City, the Regional Housing Authority, and Sutter County Affordable Homes to Comply with the Requirements of grant application under the Affordable Housing and Sustainable Communities Funding Program for Richland Village Affordable Housing

16. Shopping Carts Ordinance Update

- Recommendation:
- A. Conduct a Public Hearing then,
 - B. Introduce Amending Chapter 22 to Title 5 of The Yuba City Municipal Code Regulating Shopping Carts, and waive the first reading

17. Bogue-Stewart Master Plan – Master Tax Exchange Agreement with Sutter County

- Recommendation: Adopt a Resolution approving the Bogue Stewart Master Plan – Master Tax Exchange Agreement with Sutter County

18. Rescind 2005 City Growth Policies

- Recommendation: Adopt a Resolution rescinding Resolution No. 05-049, City Growth Policies for the City's Sphere of Influence, including the Development of Specific and Master Plans, prior to annexing to the City with the finding that the 2005 policies are no longer applicable and/or necessary, with the associated CEQA Categorical Exemption determination per CEQA Section 15601(b)(3)

Future Agenda Items

19. 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

20. City Council Reports

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

Adjournment