

MINUTES (draft)
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
JUNE 15, 2021

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

Closed Session

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Boomgaarden at 5:01 PM

Roll Call

Present: Mayor Boomgaarden, Vice-Mayor Shaw, and Councilmembers Harris, and Kirchner
[Councilmember Espindola joined Closed Session in the Sutter Room]

Absent: None

Closed Session (Sutter Room / Virtual)

- 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

Public Comment

No public comments were received

Regular Meeting (Council Chambers)

The Regular Meeting of the City Council was called to order by Mayor Boomgaarden at 6:00 PM

Roll Call

Present: Mayor Boomgaarden, Vice-Mayor Shaw, and Councilmembers Espindola, Harris, and Kirchner

Absent: None

Invocation/Inspiration

Pastor Ciociola, Calvary Christian Center, delivered the invocation

Pledge of Allegiance to the Flag

Rob Landon, Police Chief, 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. Youth Commission Recognition

Mayor Boomgaarden presented certificates to the outgoing Youth Commissioners:

Shaan Sandhu	<u>Not in attendance:</u>
Sukhman Kahlon	Lily Patrick
Emily Dominguez	Nick Morris
Matt Biggins	Tatum Mitchell
Alyssa Aguirre	

2. Sutter Butte Flood Control Agency Presentation

Presentation by: Michael Bessette, Executive Director, SBFCA

COVID-19

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

Dave Vaughn, City Manager, presented the COVID-19 update
Shannon Chaffin, City Attorney, provided legal response to vaccine passport question

Public Communication

4. Appearance of Interested Citizens

Heather Esemann spoke

Consent Calendar

Items 10, 11, 15, and 16 were held to be voted on separately.

Vice-Mayor Shaw moved and Councilmember Espindola seconded the motion to approve items 5, 6, 7, 8, 9, 12, 13, 14, 17, 18, and 19.

5. Minutes of June 1, 2021

Approve the City Council minutes of June 1, 2021

6. Cal OES 2020 Community Power Resiliency Allocation to Cities Program – Receive Grant Funding and Authorize Purchase

- A. Adopt a finding of Class 1 Categorical Exemption for the project per CEQA Guidelines Section 15301 (Existing Facilities)
- B. Approve the mid-year capital acquisition of two (2) Kohler 30kW Emergency Generators and one (1) Automatic Transfer Switch
- C. Authorize the supplemental appropriation and related transfers of CalOES Community Power Resiliency Allocation to Cities Program grant funding in the amount of \$236,000.00 to Account No. 941105-65501
- D. Adopt **Resolution 21-061** awarding the purchase of two (2) 30kW Emergency Generators and one (1) Automatic Transfer Switch from Bay City Electric Works of Poway, CA in the amount of \$61,224.74, with the finding that it is in the best interest of the City

7. Yuba City Landscape Maintenance District No. 1, Zone of Benefit B_2 (Dollar General)

Adopt **Resolution 21-062** confirming and ordering annexation of Zone of Benefit B_2 (Dollar General) into Yuba City Landscape Maintenance District No. 1 and establishing a levy of assessments for the annexed territory

8. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit J_5 (Hooper Ranch Estates Phase 1)

Adopt **Resolution 21-063** confirming and ordering annexation of the parcel associated with the Hooper Ranch Estates Phase 1 development, APN 62-070-055 into the existing Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit J_5 and establishing a levy of assessments for the annexed territory

9. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_10 (Hooper Ranch Estates Phase 2)

Adopt **Resolution 21-064** confirming and ordering annexation of Zone of Benefit C_10 (Hooper Ranch Estates Phase 2) into Yuba City Lighting and Landscape Maintenance District No. 5 and establishing a levy of assessments for the annexed territory

12. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Report Filing

Adopt **Resolution 21-067** describing improvements and ordering the Engineer of Work to file a report with regard to Yuba City Residential Street Light Maintenance Districts, to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982

13. Purchase and Installation of HVAC System at the Yuba City Police Department

- A. Adopt **Resolution 21-068** authorizing the City Manager to execute a Standard Agreement with EMCOR Service/Mesa Energy Systems of Sacramento, CA, and authorize the purchase of HVAC system, installation, removal of existing system and temporary cooling in the amount of \$76,699 plus a 5% contingency for a not to exceed amount of \$80,534 with the finding that it is in the best interest of the City

- B. Authorize the electrical upgrades provided by Richall Electric Co. of Yuba City, CA, in the amount of \$14,126 plus a 5% contingency for a not to exceed amount of \$14,832 with the finding that it is in the best interest of the City
- C. Authorize a supplemental appropriation in the amount of \$95,366 in account 6630-69201, Technology Replacement-ISF, Equipment

14. Harter Specific Plan

- A. Approve the Infrastructure Reimbursement Agreement related to the Development known as the Harter Specific Plan – Yuba City Marketplace
- B. Adopt **Ordinance 001-21** of The City Council of The City of Yuba City Rezoning 19-01 for the Harter Specific Plan (located between State Route 20 on the south and Butte House Road on the north, along both the east and west sides of Harter Parkway, APNs 59-010-101, 59-010-104, 62-310-004, 62-310-009, 62-310-010, 62-310-011, 62-301-012, and 62-310-013) and waive the second reading
- C. Adopt **Uncodified Ordinance 002-21** of the City Council of the City of Yuba City for a second amendment to the Development Agreement with Harter Packing Company and Brown Yuba City, LLC, relative to development for the Harter Specific Plan and waive the second reading

17. Fiscal Year 2021-2022 Citywide Sole Source and Professional Services Purchases

Adopt **Resolution 21-070** pre-authorizing the City Manager or designee to enter into citywide sole source and professional services purchases from July 1, 2021 through June 30, 2022, for specified items based on each purchase recommendation being in the best interest of the City

18. SB 1 Road Maintenance and Rehabilitation Account Project List 2021-22

- A. Approve the Road Maintenance and Rehabilitation Account proposed project list for submittal to the California Transportation Commission
- B. Adopt **Resolution 21-071** adopting a list of projects for Fiscal Year 2021-22 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017

19. Chemical Bid Award (BACC) and FB 19-08 Calcium Hydroxide/Lime Slurry contract increase

- A. Adopt **Resolution 21-072** to award bulk chemical contracts for City facilities per the results of the Bay Area Chemical Consortium Fiscal Year 21/22 formal bid for the period of July 1, 2021 through June 30, 2022, with the finding that it is in the best interest of the City
- B. Authorize an \$80,000 increase to the current FB 19-08 contracted amount with Lhoist North America for the period of July 1, 2021 through June 30, 2022, with the finding that it is in the best interest of the City. Lhoist North America is the City's provider for calcium hydroxide/lime slurry

The motion was passed with a unanimous vote

Consent Calendar (continued) – Items to be voted on separately

10. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Report Filing

Mayor Boomgaarden recused himself

Councilmember Harris moved and Councilmember Espindola seconded the motion to:

Adopt **Resolution 21-065** describing improvements and ordering the Engineer of Work to file a report with regard to Yuba City Landscape Maintenance District No. 1, to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972

The motion was passed with 4 votes.

11. 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) Report Filing

Vice-Mayor Shaw and Councilmember Harris recused themselves

Councilmember Espindola moved and Councilmember Kirchner seconded the motion to:

Adopt **Resolution 21-066** describing improvements and ordering the Engineer of Work to file reports with regard to Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6, to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972

The motion was passed with 3 votes.

15. Shopping Carts Ordinance Update

Councilmember Harris moved and Vice-Mayor Shaw seconded the motion to:

Adopt **Ordinance 003-21** of the City Council of The City of Yuba City Amending Chapter 22 to Title 5 of The Yuba City Municipal Code Regulating Shopping Carts, and waive the second reading

The motion was passed with a 4-1 vote. (Mayor Boomgaarden opposed)

16. Renewal of agreement between the City of Yuba City (City) and the Yuba City Unified School District for the services of School Resource Officers

Councilmember Espindola recused herself

Councilmember Kirchner moved and Vice-Mayor Shaw seconded the motion to:

- A. Adopt **Resolution 21-069** of the City of Yuba City approving a School Resource Officer agreement with the Yuba City Unified School District (Attachment 1)
- B. Authorize the Chief Financial Officer to make budget adjustments as necessary

The motion was passed with 4 votes.

Business Items

20. First Level Managers' Memorandum of Understanding (MOU)

Vice-Mayor Shaw moved and Councilmember Kirchner seconded the motion to:

- A. Adopt **Resolution 21-073** approving a two-year Memorandum of Understanding with the First Level Manager group
- B. Adopt a Resolution authority the Finance Director to amending the salary schedule
- C. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$57,000
- D. Approve a supplemental appropriation to Salary and Benefits, Fund 507 in the amount of \$41,000
- E. Approve a supplemental appropriation to Salary and Benefits, Fund 518 in the amount of \$59,100
- F. Approve a supplemental appropriation to Salary and Benefits, Fund 619 in the amount of \$12,600

The motion was passed with a unanimous vote

21. Mid-Managers' Memorandum of Understanding (MOU)

Councilmember Espindola moved and Vice-Mayor Shaw seconded the motion to:

- A. Adopt **Resolution 21-074** approving a two-year Memorandum of Understanding with the Mid Manager group
- B. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$34,300
- C. Approve a supplemental appropriation to Salary and Benefits, Fund 507 in the amount of \$7,100
- D. Approve a supplemental appropriation to Salary and Benefits, Fund 518 in the amount of \$15,400

The motion was passed with a unanimous vote

22. Fire Local 3793 Side Letter

Councilmember Harris moved and Councilmember Espindola seconded the motion to:

- A. Adopt **Resolution 21-075** approving a Side Letter with Fire Local 3793 extending the Memorandum of Understanding until December 31, 2023
- B. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$143,100

The motion was passed with a unanimous vote

23. Executive Service Contract Terms

Councilmember Espindola moved and Councilmember Kirchner seconded the motion to:

- A. Adopt **Resolution 21-076** authorizing the City Manager to amend the Executive Service Employment Agreements
- B. Adopt **Resolution 21-077** authority the Finance Director to amending the salary schedule

- C. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$32,715
- D. Approve a supplemental appropriation to Salary and Benefits, Fund 507 in the amount of \$2,531
- E. Approve a supplemental appropriation to Salary and Benefits, Fund 518 in the amount of \$2,531

The motion was passed with a unanimous vote

24. Implement the E-Team amendments, unrepresented Confidential group and Mid-Managers, First Level Managers and Local 3793 Memorandum of Understanding (MOU) changes to the salary schedule

Vice-Mayor Shaw moved and Councilmember Kirchner seconded the motion to:

- A. Adopt **Resolution 21-078** to adjust the City's salary schedule to incorporate the E-Team amendments, unrepresented Confidentials, Mid-Managers, First Level Managers and Local 3793 MOU changes
- B. Authorize the Finance Director to transfer funds from Contingency account 4215-65601 in the amount of \$16,200

The motion was passed with a unanimous vote

25. Hooper Ranch Estates Phase 2 (Annexation #4 of property into CFD 2017-1)

Councilmember Espindola moved and Councilmember Kirchner seconded the motion to:

- A. Adopt **Resolution 21-079** 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

The motion was passed with a unanimous vote

- B. Hold a Public Hearing for the annexation of Tentative Map No. 20-03 into CFD 2017-1

Mayor Boomgaarden opened the Public Hearing. Hearing no Public Comment, Mayor Boomgaarden closed the Public Hearing

Councilmember Kirchner moved and Councilmember Harris seconded the motion to:

- C. Adopt **Resolution 21-080** authorizing Annexation No. 4 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

The motion was passed with a unanimous vote

- D. Hold an election for the annexation of Tentative Map No. 20-03 into CFD 2017-1

The sealed Ballot was opened by the Deputy City Clerk. Four (4) votes were received from Tanner Judkins, Chief Financial Officer of Riverland Homes, Inc. approving the Ballot Measure. Special Election Ballot, Annexation No. 4 was unanimously approved.

Councilmember Espindola moved and Vice-Mayor Shaw seconded the motion to:

- E. Adopt **Resolution 21-081** 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. 4

The motion was passed with a unanimous vote

26. Hooper Ranch Estates Subdivision (Subdivision Agreement and Final Map Approval)

Vice-Mayor Shaw moved and Councilmember Harris seconded the motion to:

Adopt **Resolution 21-082** approving the execution of a Subdivision Improvement Agreement with Riverland Homes, Inc. providing for public improvements associated with the Hooper Ranch Estates Subdivision Map, approving the Hooper Ranch 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 Monroe Road, west of Hooper Road, and south of Jefferson Avenue]

The motion was passed with a unanimous vote

27. Proposed Water and Wastewater Rates for Fiscal Years 21/22, 22/23, and 23/24

Heather Esemann spoke

Councilmember Espindola moved and Councilmember Kirchner seconded the motion to:

- A. Adopt **Resolution 21-083** setting the water rates for Fiscal Years 21/22, 22/23, and 23/24
- B. Adopt **Resolution 21-084** setting the wastewater rates for Fiscal Years 21/22, 22/23, and 23/24

The motion was passed with a 4-1 vote. (Vice-Mayor Shaw opposed)

Future Agenda Items

28. Future Agenda Items

No suggestions were made

Reports and Communications

29. City Council Reports

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

Mayor Boomgaarden adjourned the Regular Meeting of the City Council in in memory of: Thomas J. Fowler Jr. at 7:47PM