



SPECIAL NOTICE

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

JULY 6, 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”). While the Governor recently issued Executive Orders N-07-21, which lifted certain orders and associated restrictions, there are still public health directives in place. Executive Order N-08-21 also allows local legislative bodies to continue 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. A facial covering will be available upon request by any attendee. 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_BEvU4aYqRD2HUIxXZVDdgA

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

Yuba City Council Meeting – 7/6/2021

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.



****AMENDED AGENDA****

JULY 6, 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***

****AMENDED AGENDA****
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JULY 6, 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 Legal Counsel – Potential Litigation (Pursuant to Government Code Section 54956.9(d)(1).) One case

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

Agenda Modifications/Approval of Agenda

CEREMONIAL/PRESENTATIONS

- 1. **Sexual Assault Awareness Proclamation**

COVID-19

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

Public Communication

3. 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.

4. Minutes of June 15, 2021

Recommendation: Approve the City Council minutes of June 15, 2021

5. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_16 (Dunn Ranch Estates – Unit 1)

Recommendation: Adopt a Resolution confirming and ordering annexation of the parcels associated with the Dunn Ranch Estates – Unit 1 Development, APNs 62-020-067 and 62-020-072 into the existing Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_16 and establishing a levy of assessments for the annexed territory

6. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Resolution of Intent

- Recommendation:
- A. Adopt the following Resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:
 - Resolution Approving the Engineer's Report, Yuba City Landscape Maintenance District No. 1
 - Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1
 - B. Set a Public Hearing for July 20, 2021 at 6:00 PM to establish assessments for FY 21/22

7. 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) Resolution of Intent

- Recommendation:
- A. Adopt the following Resolutions to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972:
 - Resolution Approving Engineer's Reports, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
 - Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
 - B. Set a Public Hearing for July 20, 2021 at 6:00 PM to establish assessments for Fiscal Year (FY) 2021-22

8. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Resolution of Intent

- Recommendation:
- A. Adopt a Resolution Approving Engineer's Reports and Declaring Intention to Levy for Yuba City Residential Street Light Maintenance Districts, to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:
 - B. Set a Public Hearing for July 20, 2021 at 6:00 PM to establish assessments for Fiscal Year (FY) 2021-22

9. Proposed City Hall Holiday Closures

- Recommendation: Adopt a Resolution authorizing the closure of City Hall for Monday, November 22, 2021 through Friday, November 26, 2021 and for Friday, December 24, 2021 through Friday, December 31, 2021

10. Revised Lateral and Academy Graduate Recruiting Incentive Program

- Recommendation: Adopt a Resolution authorizing a revised Lateral and Academy Graduate Recruiting Incentive Program

10.5 Authorization for City Attorney on Behalf of the City to Join Amicus Curiae Briefs to Support Local Control to Enforce Prohibited or Unlicensed Cannabis Activities

Recommendation: Authorize the City Attorney, on behalf of the City, to join in an amicus curiae (friend of the court) briefs in *People v. Shui Tam*, Second District Court of Appeal Case Number B310738 (“Tam”) (on transfer from the Appellate Division of the Superior Court), *Emily Wheeler v. Appellate Division*, Second District Court of Appeal Case Number B310024 (“Wheeler”) (on a Petition for Writ of Mandate), or related and similar cases

Business Items

11. Yuba-Sutter Economic Development District, Comprehensive Economic Development Strategy (CEDS) and 2020 CEDS Annual Performance and Evaluation

Recommendation: Adopt a Resolution to approve the 2020 Comprehensive Economic Development Performance Report and the updated Appendices I, IV, and V, and authorize its submittal to the United States Department of Commerce, Economic Development Administration

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

Recommendation:

- A. Hold a joint Public Hearing for the formation of CFD 2021-1 and a future annexation area thereto, the proposed services to be funded, and the proposed special tax formula
- B. Adopt a Resolution of Formation to establish CFD 2021-1 and the future annexation area and to authorize the levy of a special tax within the district to finance certain services
- C. Adopt a Resolution calling an election with respect to special taxes to be levied on territory within CFD 2021-1, 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 special taxes within the District on the Initial Property (Dunn Ranch Estates – Unit 1 Subdivision, Tentative Subdivision Map No. 20-06) into CFD 2021-1
- E. Adopt a Resolution making certain findings, and declaring and certifying the results of an election approving special taxes in CFD 2021-1
- F. Waive reading and adopt an Ordinance authorizing the levy of a special tax within CFD 2021-1

13. Rescind Levee Impact Fee

Recommendation: Adopt a Resolution to rescind the City’s Levee Impact Fee, effective immediately

14. Community Development Block Grant (CDBG) Program 2021-2022 Annual Action Plan

- Recommendation:
- A. Conduct a Public Hearing to receive comments on the CDBG 2021-2022 Annual Action Plan and after consideration;
 - B. Adopt a Resolution approving the proposed CDBG 2021-2022 Annual Action Plan and authorize staff to submit the required documents to the Department of Housing and Urban Development (HUD) for processing

15. Outdoor Dining Ordinance Adoption

- Recommendation:
- A. Conduct a Public Hearing, and then
 - B. Introduce by title only an Ordinance to update the Yuba City Municipal Code to allow for continued use of Outdoor Dining by adding Article 49, Chapter 5 of Title 8, and amending Section 8-5.6102 of Article 61 of Chapter 5 of Title 8, of the Yuba City Municipal Code and waive the first reading

16. Priorities and Goals for Fiscal Year 2021-2022

- Recommendation: Discuss and Consider adopting a Resolution adopting the City Council's Priorities and Goals for Fiscal Year 2021-2022

Future Agenda Items

17. 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

18. City Council Reports

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

Adjournment