

**MINUTES (draft)**  
**REGULAR MEETING**  
**CITY COUNCIL – CITY OF YUBA CITY**  
**SEPTEMBER 7, 2021**  
**5:00 P.M. – CLOSED SESSION - SUTTER ROOM/VIRTUAL**  
**6:00 P.M. – REGULAR MEETING - COUNCIL CHAMBERS/VIRTUAL**

**Call to Order**

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

**Roll Call**

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

Absent: None

**Closed Session**

- A. Conference with Labor Negotiators (Pursuant to Government Code, § 54957.6.)  
Agency designated representatives: Dave Vaughn, City Manager, Brad McIntire, Community Services Director, Michael Jarvis, LCW  
Employee organizations: Yuba City Police Officers; Police Sergeants; and Police Sworn Mid Managers
- 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, IT Manager, and City Manager

**Public Comment**

No public comments were received

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 Jason Poling, Cornerstone Church, delivered the invocation

**Pledge of Allegiance to the Flag**

Brian Baker, Police Commander, 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. **Downtown Business Association Summer Stroll Update**  
Sandee Drown, Downtown Business Association
  
2. **Yuba Sutter Chamber Film Commission Presentation**  
Marni Sanders, Yuba-Sutter Chamber of Commerce  
Sabrina Jurisich, Film Shasta  
  
Ryan Graham spoke  
David Read spoke

### **Public Communication**

3. **Appearance of Interested Citizens**  
Diane Jaeger spoke  
Heather Chambers spoke  
Tom Burns spoke  
Janet Johnson spoke  
Bonnye Hughes spoke

### **Consent Calendar**

Councilmember Espindola moved and Councilmember Harris seconded the motion to approve:

4. **Minutes of August 17, 2021**  
Approve the City Council minutes of August 17, 2021
  
5. **Community Facilities District (CFD No. 2021-1) – Ordinance Authorizing the Levy of a Special Tax within the District**  
Adopt **Ordinance 005-21** of the City Council of The City of Yuba City Acting in its Capacity as the Legislative Body of the City of Yuba City Community Facilities District No. 2021-01 (Municipal Services) authorizing the Levey of a Special Tax within said District, and waive the second reading
  
6. **City Water Service Connection for 535 Sanborn Road [APN #20-040-048]**  
Adopt **Resolution 21-122** authorizing the City Manager to execute an Extraterritorial Water Service Agreement with the property owner of 535 Sanborn Road for connection to City water service following approval as to legal form by the City Attorney, subject to material terms

**7. Information Technology Promotion and Salary Schedule Update**

Adopt **Resolution 21-123** authorizing:

- A. Waiver of the typical promotional recruitment/appointment formalities to allow the Senior IT Analyst to transition to the IT Manager classification
- B. The Finance Director to amend the salary schedule to add a sixth step to the Information Technology Manager job classification

**8. City of Yuba City Representatives on the Northern California Cities Self Insurance Fund (NCCSIF) Board of Directors**

Adopt **Resolution 21-124** to appoint the person holding the title of Finance Director as the Board Representative and the person holding the title of Human Resources Director as the Alternate Representative to the NCCSIF Board of Directors

**9. Debt Management Policy Update**

Adopt **Resolution 21-125** to update the City's Debt Management Policy

**10. Property Coverage Cost Increases**

Adopt **Resolution 21-126** to authorize a supplemental appropriation to 6535-64311 (General Liability Self Insurance Fund—Insurance Physical Loss) for the City's FY 2021-22 property coverage budget and authorize the Finance Director to transfer the appropriate amounts from unallocated fund balances of the General, Fleet Maintenance, Water, and Wastewater Funds

**11. Authorize and direct the City's League of Cities Voting Delegate to vote "yes" regarding a resolution for a fair and equitable distribution of local sales tax from in-state online purchases and coalition to support the same**

Lawrence Mentz spoke

Authorize and direct the City's Voting Delegate for the 2021 League of California Cities Annual Conference in September 2021 to vote "Yes" on the resolution urging legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, and approval to join a coalition of cities to support the same as proposed by the City of Rancho Cucamonga

The motion was passed with a unanimous vote

**Business Items**

**12. Addendum to the City of Yuba City General Plan EIR and 2021-2029 City of Yuba City General Plan Housing Element**

Mayor Boomgaarden opened the Public Hearing

Heather Esemann spoke

Mayor Boomgaarden closed the Public Hearing

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

Adopt **Resolution 21-127** of the City Council of the City of Yuba City adopting the 2021-2029 City of Yuba City General Plan Housing Element and associated Addendum to the General Plan Environmental Impact Report (EIR)

The motion was passed with a unanimous vote

**13. Right-of-Way Access and Use Agreement for Deployment of a Citywide Fiber Optic Network with SiFi Networks Yuba City LLC**

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

Adopt **Resolution 21-128** authorizing the City Manager to enter into a Right-of-Way Access and Use Agreement for deployment of a citywide fiber optic network with SiFi Networks Yuba City LLC

The motion was passed with a unanimous vote

**14. Development of Plans and Specifications for Second Groundwater Well Installation**

Heather Esemann spoke

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

A. Adopt **Resolution 21-129** awarding a Professional Services Agreement to West Yost & Associates, Inc of Davis, CA in the amount of \$572,498 for development of plans and specifications for the groundwater well, hydrogeologic services, and other services in preparation for and during the construction of a new potable groundwater well, with the finding that it is in the best interest of the City

B. Adopt a Resolution authorizing the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal form by the City Attorney

The motion was passed with a unanimous vote

**15. Electronic and paperless filing of Fair Political Practices Commission disclosure statements**

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

Introduce an Ordinance of the City Council of the City of Yuba City Adding Chapter 13 (Disclosure Statement Filings and Retention) to Title 2 of the Yuba City Municipal Code To Allow For Paperless Electronic Filing, and Availability of Statements for Public Review and Record Retention

The motion was passed with a unanimous vote

**16. Discussion and direction regarding changing from an “at-large” to a “division-based” system of elections**

Heather Esemann spoke

Councilmember Kirchner moved and Councilmember Harris seconded the motion to:

Adopt **Resolution 21-130** of the City Council of the City of Yuba City Declaring its Intention to Transition from At-Large to Division-Based Elections

The motion was passed with a unanimous vote

**17. Police Officers' Association Memorandum of Understanding (MOU)**

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

- A. Adopt **Resolution 21-131** approving a two-year Memorandum of Understanding with the Police Officers' Association
- B. Authorize a supplemental appropriation from unallocated general funds for FY 2021/2022 in the amount of \$502,100

The motion was passed with a unanimous vote

**18. Police Sworn Mid-Managers Memorandum of Understanding (MOU)**

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

- A. Adopt **Resolution 21-132** approving a two-year Memorandum of Understanding with the Police Sworn Mid-Managers
- B. Authorize a supplemental appropriation from unallocated general funds in the amount of \$49,400 for FY 2021/2022

The motion was passed with a unanimous vote

**Future Agenda Items**

**19. Future Agenda Items**

No suggestions were made

**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**

Mayor Boomgaarden adjourned the Regular Meeting of the City Council in in memory of Francis L. Adams at 8:55 PM