



SPECIAL NOTICE

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

DECEMBER 21, 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 guidance's in place. 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://us06web.zoom.us/webinar/register/WN_DVqnnDjDSbm6ubr86NsjtA

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

Yuba City Council Meeting – 12/21/2021

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

DECEMBER 21, 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	<ul style="list-style-type: none">• Dave Shaw
VICE MAYOR	<ul style="list-style-type: none">• Wade Kirchner
COUNCILMEMBER	<ul style="list-style-type: none">• Marc Boomgaarden
COUNCILMEMBER	<ul style="list-style-type: none">• Grace Espindola
COUNCILMEMBER	<ul style="list-style-type: none">• Shon Harris
CITY MANAGER	<ul style="list-style-type: none">• Diana Langley
CITY ATTORNEY	<ul style="list-style-type: none">• 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
DECEMBER 21, 2021
5:00 P.M. CLOSED SESSION:
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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

1. **A. 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**

B. Conference With Legal Counsel—Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of Government Code Section 54956.9(d): (One case)

C. Conference With Legal Counsel—Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One case)

Regular Meeting

Call to Order

Roll Call

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

Invocation/Inspiration

Pledge of Allegiance to the Flag

Agenda Modifications/Approval of Agenda

Ceremonial Presentations

2. Economic Development Commissioners Recognition

3. Retirement Proclamation for Devin Barber, IT Manager - Special Projects

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 the November 16, 23 and December 7, 2021

Recommendation: Approve the City Council minutes of November 16, 23 and December 7, 2021

6. Sutter Subbasin Groundwater Sustainability Plan Tentative Adoption

Recommendation: Adopt a Resolution to adopt the Sutter Subbasin Groundwater Sustainability Plan acting as the City of Yuba City Groundwater Sustainability Agency

7. Destruction of Specified Yuba City Police Department Records

Recommendation: Adopt a Resolution authorizing the Chief of Police to destroy specified Yuba City Police Department records which have exceeded their retention period, occupy valuable storage space and are of no further use to the City of Yuba City or Yuba City

Police Department

8. Submission of Recertification Application for Tree City USA Designation

Recommendation: Adopt a Resolution authorizing the City to submit an application for recertification to the National Arbor Day Foundation for the City to continue its designation as a Tree City USA community

9. River Valley High School Striping and Marking Improvement Project (Plans & Specifications)

Recommendation: Adopt a Resolution which adopts a CEQA Class 1 Categorical Exemption, approves the plans and specifications for the River Valley High School Striping and Marking Improvement Project, and authorizes Public Works staff to solicit quotes from qualified contractors to perform the work

10. 2021 Urban and Multibenefit Drought Relief Funding Grant Application

Recommendation: Adopt a Resolution authorizing the grant application, acceptance, and execution for the Aquifer Storage Recovery System Project, and designate the Public Works Director or designee to execute any documents required for applying to the grant program and executing a funding agreement and related documents on behalf of the City

11. 2022 City Council Meeting Calendar

Recommendation: Cancel the January 5th, May 3rd, and August 3rd 2022 Regular Council Meetings and provide for Special Workshops to be scheduled as needed

12. Appointments to City Council Regional Boards and Committees

Recommendation: Approve the City Council Assignments to Regional Boards and Committees for Calendar Year 2022

13. Feasibility Study for Abandoned Railroad Corridor

Recommendation: Adopt a Resolution which takes the following actions:

1. Awards a Professional Services Agreement to Dokken Engineering of Folsom, CA for the Feasibility Study for Abandoned Railroad Corridor Project in the amount of \$224,169.50, subject to material terms, with the finding that it is in the best interest of the City

2. Authorizes the Finance Director to accept grant funds into Account No. 301-43495 in the grant award amount of \$200,000

3. Authorizes the Finance Director to make a supplemental appropriation in the amount of \$200,000 from Account No. 301-43495 to CIP Account No. 901282-65501

4. Authorizes the Finance Director to make a supplemental appropriation in the amount of \$55,377.98 from unallocated Transportation Development Act funds to CIP Account No. 911282-65501

14. Monroe Road Sewer Improvements Award

Recommendation: Adopt a Resolution approving a sole source justification and awarding a construction contract to Lund Construction Co. of North Highlands, CA in the amount of \$52,255.00 and authorizing the City Manager to execute a Standard Agreement on behalf of the City

15. Accept California Water and Wastewater Arrearage Payment Program financial assistance funding

Recommendation: Adopt a Resolution accepting the California Water and Wastewater Arrearage Payment Program benefits and authorize the Finance Director to make the necessary supplemental appropriations for related revenues and expenditures to 507-43481 and 7120-64103 for the 2021-22 fiscal year

16. Parcel Creation/Lot Line Adjustment – Harter Specific Plan

Recommendation: Adopt a Resolution authorizing the City Manager to execute a Grant Deed and associated documents, to create a new legal parcel for the future park on Harter Parkway, and participate in a Lot Line Adjustment to help facilitate development of the Harter Specific Plan for properties southerly of Butte House Road, westerly of Harter Parkway, and northerly of future Jefferson Avenue

17. National Opioid Settlement

Recommendation: A. Approve Settlement Participation Form for the City's participation in the National Opioid Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation
B. Approve Settlement Participation Form for the City's participation in the National Opioid Settlement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc
C. Approve the California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Distributor Settlement
D. Approve the California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Janssen Settlement
E. Adopt a Resolution authorizing the City Manager to execute the documents identified in Recommendations A through D
F. Authorize the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements, including, but not limited to, the transmittal of the executed documents in Recommendations A through D (as necessary and applicable)

18. Annual Investment Policy Adoption

Recommendation: Approve Investment Policy as presented

19. CalPERS Employer Paid Member Contribution Resolutions

Recommendation: Adopt Resolutions for CalPERS to pay and report the value of Employer Paid Member Contributions for the Police Sworn Mid-Managers, Mid-Managers and Unrepresented Executive Team

20. Gauche Aquatic Park Verkada Camera System Upgrade (FB22-06)

Recommendation: Adopt a Resolution awarding the contract for the Gauche Aquatic Park Verkada Camera System upgrade to Gaynor Telesystems of Redding, CA in the total amount of \$65,085 plus a 10% contingency for a not to exceed amount of \$71,594 with the finding that it is in the best interest of the City

21. Purchase of four (4) Ford F-150 Police Responders (FB22-04)

Recommendation: Adopt a Resolution awarding the purchase of four (4) Ford F-150 Police Responder vehicles to Geweke Ford of Yuba City, CA, in the amount of \$166,444. Sole source the equipment purchase and install to Cop Shop Installations of Yuba City, CA in the estimated amount of \$157,363

22. Utility Payment Processing and Statement Printing and Mailing Proposal (RFP22-02)

Recommendation: Adopt a Resolution awarding the contract for utility payment processing, statement printing and mailing, bill presentment online, and IVR services to InfoSend, Inc. of Anaheim, CA with the finding that it is in the best interest of the City. The agreement will be in the estimated amount of \$141,400 for one (1) year with the option of four (4) one-year extensions. Authorize the City Manager to approve contract extensions

23. Yuba Sutter Salvation Army Professional Services Agreement - CDBG-CV Low-Income Mortgage Subsistence Program

Recommendation: Adopt a Resolution approving a Professional Services Agreement with Yuba Sutter Salvation Army for the 2020 Community Development Block Grant CARES Act (CDBG-CV) Low-Income Mortgage Subsistence Program

24. Finance Department Position Modifications

Recommendation: Adopt a Resolution approving the following changes to the Finance Department's positions in the FY 2021-22 Operating Budget:

1. Add an Administrative Analyst II and;
2. Reclassify a vacant Field Customer Service Representative I/II to Customer Service Representative I/II; and
3. Authorize a supplemental appropriation to the appropriate Finance Department salary and benefits accounts in the amount of \$45,200

25. Annual Report from the Downtown Yuba City Business Improvement District and Proposed Levy of Annual Assessment for 2022

Recommendation: A. Adopt a Resolution Accepting and Approving the 2021-2022 Annual Report of the Downtown Yuba City Business Improvement District

B. Adopt a Resolution of Intention to Levy and Collect 2022 Annual Assessments and set a Public Hearing for January 18, 2022

26. Blackburn Talley Field Lighting Phase III Project Award

Recommendation: A. Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption; awarding a construction contract to Musco Sports Lighting, LLC in the amount of \$261,866 through Sourcewell Contract No. 071619-MSL, with the finding that it is in the best interest of the City; and authorizing the City Manager to execute an agreement for the Blackburn Talley Field Lighting Phase III project

B. Authorize the Finance Director to make a supplemental appropriation and related transfers in the amount of \$14,959.30 from unallocated general capital improvement project funds to CIP Account No. 901234-65501 for the additional funds necessary to complete construction

27. City of Yuba City Advisory Board Appointment List

Recommendation: Note and File the 2021 Local Appointment List and Direct Staff to post on the City's website

28. Sidewalk Maintenance and Repairs Ordinance

Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City establishing sidewalk maintenance and repair responsibilities by adding Chapter 11 (Sidewalk Maintenance and Repairs) to Title 6 of the Yuba City Municipal Code by title only, and waive the second reading

Business Items

29. Homekey 2.0 Habitat for Humanity Presentation

Recommendation: Provide direction regarding the project application, as needed

30. Public Hearing No. 3 – Consideration of proposed maps for District voting divisions per California Elections Code Sections 10010(a)(2) and 10010(b)

Recommendation: A. Receive NDC's presentation of draft District voting division maps and the sequencings of division elections and public comments regarding the draft maps

B. Provide direction on preferred map(s) for additional analysis, revisions, or comment and possibly new maps

C. Provide comments on the sequencing of elections for the divisions to be established

D. Confirm the next public hearing for January 18, 2022

31. Yuba City Purchasing System Ordinance and Purchasing Policies Update

Recommendation: A. Introduce an Ordinance amending Chapter 6 (Purchasing System) of Title 2 of the Yuba City Municipal Code by title only, and waive the first reading

B. Adopt a Resolution adopting the Purchasing Policies and Procedures Manual Update (to become effective concurrently with the proposed ordinance)

32. Yuba City Wastewater Collection and Treatment Ordinance Update

Recommendation: Introduce an ordinance amending Chapter 5 (Wastewater Collection and Treatment) of Title 6 of the Yuba City Municipal Code by title only, and waive the first reading

33. Bridge Street Widening Project (21-01) – Plans & Specifications

Recommendation: Adopt a Resolution approving the plans and specifications for the Bridge Street Widening Project (21-01) and authorizing advertisement for bids on the project.

34. Harter Parkway Park Project Award

Recommendation: Adopt a Resolution which makes the following actions:

1. Awards a construction contract to Marina Landscape, Inc. of Orange, CA in the amount of their total bid \$2,507,985.49 and authorizes the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal from by the City Attorney
2. Awards a construction contract to American Ramp Company, Inc. in the amount of \$227,401.57 through Sourcewell Contract No. 112420-ARC, with the finding that it is in the best interest of the City; and authorizes the City Manager to execute an agreement for the Bike Park project
3. Awards a contract for construction and inspection services to Coastland Civil Engineering, Inc. of Auburn, CA in the amount of \$141,850 and authorizes the City Manager to execute the contract on behalf of the City, subject to review and approval as to form by the City Attorney
4. Authorizes the Finance Director to make necessary appropriations from American Rescue Plan Act funds, in the amount of \$1,260,480.77 to CIP Account No. 941207-65501 (Harter Parkway Park and Bike Connection) in order to bridge the funding shortfall and ultimately fund the Park project

35. City Manager Employment Agreement

Recommendation: Adopt a Resolution Approving A City Manager Employment

Agreement between the City of Yuba City and Diana Langley,
Effective December 10, 2021 at 5:00 p.m.

Future Agenda Items

- 36. Future Agenda Items:**
- Councilmember Boomgaarden
 - Councilmember Espindola
 - Councilmember Harris
 - Vice Mayor Kirchner
 - Mayor Shaw

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

37. City Manager Report

38. City Council Reports

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

Adjournment