

CITY OF YUBA CITY
STAFF REPORT

Date: December 21, 2021
To: Honorable Mayor & Members of the City Council
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Minutes of the November 16, 23 and December 7, 2021
Recommendation: Approve the City Council minutes of November 16, 23 and December 7, 2021
Fiscal Impact: None.

Attachments:

1. 11-16-21 - Regular Meeting Minutes (DRAFT)
2. 11-23-21 - Special Closed Session Minutes (DRAFT)
3. 12-07-21 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk Administrator

Submitted By:
Diana Langley
City Manager

MINUTES (draft)
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
NOVEMBER 16, 2021
5:00 P.M. – CLOSED SESSION - SUTTER ROOM/VIRTUAL
6:00 P.M. – REGULAR MEETING - COUNCIL CHAMBERS/VIRTUAL

Closed Session

No Councilmembers were present at 5:00 PM

Staff recommended that the sole item on the Closed Session agenda be continued to the next regular meeting of the City Council on December 21, 2021 at 5:00 PM:

- 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

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Boomgaarden at 6:01 PM

Roll Call

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

Absent: Councilmember Espindola

Invocation/Inspiration

Pastor Stephen Baumgartner – Assistant Pastor at First Baptist Church Yuba City

Pledge of Allegiance to the Flag

Reno Rosser

City Attorney's Report on Closed Session Items

No Closed Session held

Agenda Modifications/Approval of Agenda

Item 21 (Social Services Facility – Zoning Ordinance Amendment) was deferred until the next regular meeting on December 21, 2021

Ceremonial Presentations

4. Sikh Awareness and Appreciation Month Proclamation

Mayor Boomgaarden presented a proclamation to Sarb Thiara, President and the Sikh Temple Board of Directors

1. Rosser Family Proclamation

Mayor Boomgaarden presented a proclamation to the Rosser Family

2. Small Business Saturday Proclamation

Mayor Boomgaarden presented proclamations to Aliyah Shine, owner of Nina Hive Baby & Children's Clothing Store and Makayla Russell, owner of The Burning Wick Candle Company

3. Homelessness Awareness Month Proclamation

Mayor Boomgaarden presented a proclamation to Chaya Galicia, Vice President of Strategic Planning for the Sutter Yuba Homeless Consortium

5. SACOG Presentation

James Coreless, SACOG Executive Director, gave a presentation

Public Communication

6. Appearance of Interested Citizens

Heather Esemann spoke

Consent Calendar

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

7. Minutes of November 2, 2021

Approve the City Council minutes of November 2, 2021

8. Economic Development Commission dissolution

Adopt an Ordinance of the City Council of the City of Yuba City to delete Chapter 12 (Economic Development Commission) of Title 2 of the Yuba City Municipal Code, and waive the second reading

9. Presentation of Investment Report – Quarter Ended September 30, 2021

Note & File Quarterly Investment Report

10. Administrative Manager Transfer

Adopt a Resolution authorizing:

A. The Finance Director to transfer the Administrative Manager position from the Police Department to Administration

B. The Finance Director to make a supplemental appropriation of \$148,600 of unallocated general funds to division 1305 salary and benefits

11. Fiscal Year 2022-23 Waste Tire Enforcement Grant Application

Adopt a Resolution authorizing Yuba County, as the Lead Agency of the Yuba-Sutter Local Enforcement Agency, to perform Waste Tire Enforcement activities on behalf of the City

of Yuba City and submit a Collaborative Application for the Waste Tire Enforcement Grant to CalRecycle for Fiscal Year 2022-23

12. Implement the new California minimum wage rate effective January 1, 2022

Adopt a Resolution to adjust the City's salary schedule to comply with the new California wage requirements effective January 1, 2022

13. Dunn Ranch Estates Unit 1 Subdivision (Subdivision Agreement and Final Map Approval)

Adopt a Resolution approving the execution of a Subdivision Agreement with James R. Scott, Trustee of The Scott Family Trust dated November 6, 2000, providing for public improvements associated with the Dunn Ranch Estates Unit 1 Subdivision Map, approving the Dunn Ranch Estates Unit 1 Final Map, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. [Subdivision is located south of Monroe Road and east of Royo Ranchero Drive]

14. City Water Service Connection for 1993 Hooper Road [APN #17-064-014]

Adopt a Resolution authorizing the City Manager to execute an Extraterritorial Water Service Agreement with the property owner of 1993 Hooper Road for connection to City water service following approval as to legal form by the City Attorney, subject to material terms

15. Development Impact Fees – Annual Report

A. Accept the AB1600 Annual Report

B. Adopt a Resolution finding that there is a reasonable relationship between current needs for the fees and the purposes for which they were originally collected

16. Transportation Development Act (TDA) Claim for FY 2021-2022 of \$1,837,963 in Local Transportation Funds (LTF)

Adopt a Resolution authorizing submission of the City's FY 2021-2022 TDA claim to the Sacramento Area Council of Governments (SACOG)

The motion was passed with 4 unanimous votes

Business Items

17. Purchase of Heavy Lifts

Councilmember Kirchner moved and Councilmember Harris seconded the motion to:

Adopt a Resolution awarding the purchase of six (6) heavy lifts to NAPA Auto Parts of Atlanta, GA, in the amount of \$58,867 through Sourcwell Open Contract #032521-GPC, with the finding that it is in the best interest of the City

The motion was passed with 4 unanimous votes

18. American Rescue Plan Act Funding – Harter-Bridge Sewer Trunk Connection and Bogue Road Sewer Extension

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

Authorize the Finance Director to transfer funds from the American Rescue Plan Act, Account No. 2630-69201, in the amount of \$2 million to the Harter-Bridge Sewer Trunk Connection Project (Account No. 981277) and \$2 million to the Bogue Road Sewer Extension Project (Account No. 981295)

The motion was passed with 4 unanimous votes

19. Sidewalk Maintenance and Repairs Ordinance

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

Introduce 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, and waive the first reading

The motion was passed with 4 unanimous votes

20. Heavy Equipment Lease Financing

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

Adopt a Resolution of the City Council of the City of Yuba City, California, authorizing the execution and delivery of an Equipment Schedule to the Master Equipment Lease/Purchase Agreement for the acquisition, financing and leasing of certain equipment for the Public Benefit within the terms provided herein; authorizing the execution and delivery of other documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution

The motion was passed with 4 unanimous votes

~~21. Social Services Facility – Zoning Ordinance Amendment~~

~~Initiate an Ordinance update that will amend the Yuba City Municipal Code related to allowing Social Services Facilities in the General Commercial District Title 8, Chapter 5~~

Item 21 was deferred until the next regular meeting on December 21, 2021

Future Agenda Items

22. Future Agenda Items

Mayor Boomgaarden requested that Public Works staff bring back homeowner financing options for sidewalk repairs

Reports and Communications

23. City Manager's Report

24. 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 memory of Pat Miller at 7:51 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

MINUTES (draft)
SPECIAL MEETING – CLOSED SESSION
CITY COUNCIL
CITY OF YUBA CITY
NOVEMBER 23, 2021, 8:30 A.M.

Special Closed Session Meeting – Council Chambers and Virtual

Call to Order

The Special Closed Session Meeting of the City Council was called to order in the Council Chambers by Mayor Boomgaarden at 8:30 AM

Roll Call

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

Absent: None

Public Comment

1. Appearance of Interested Citizens

No public comment

Closed Session

- A. Public Employee – Appointment/Employment (Pursuant to Government Code, § 54957.) Title: Interim City Manager
- B. Public Employee – Appointment/Employment (Pursuant to Government Code, § 54957.) Title: Permanent City Manager

Adjournment

Mayor Boomgaarden adjourned the Special Closed Session Meeting of the City Council at 9:50 AM

ATTEST:

Dave Shaw, Mayor

Ciara Wakefield, Deputy City Clerk

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

Call to Order

The Closed Session Meeting of the City Council was called to order by Mayor Boomgaarden at 5:02 PM

Roll Call:

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

Public Comment

None

Closed Session

- A. Public Employee – Appointment/Employment (Pursuant to Government Code, § 54957.)
Title: Interim City Manager
- B. Conference With Labor Negotiators (Pursuant to Government Code, § 54957.6)
City Negotiator: Mayor Boomgaarden and Vice Mayor Shaw
Employee: Interim City Manager
- C. Public Employee – Appointment/Employment (Pursuant to Government Code, § 54957.)
Title: City Manager
- D. Conference With Labor Negotiators (Pursuant to Government Code, § 54957.6)
City Negotiator: Mayor Boomgaarden and Vice Mayor Shaw
Employee: City Manager

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Boomgaarden at 6:01 PM

Roll Call

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

Absent: None

Invocation/Inspiration

Pastor Alan F. Hearl - Care Pastor at Bayside Church, Blue Oaks Campus and retired Naval Captain

Posting of the Colors

Joint YCPD & YCFD Color Guard

Pledge of Allegiance to the Flag

Matt Laughlin, City of Yuba City Custodian

City Attorney's Report on Closed Session Items

By unanimous vote, the City Council has appointed Diana Langley as the City Manager effective 5:00 PM on December 10, 2021. The City Attorney will bring forth an appropriate agreement at the next Regular City Council Meeting on December 21, 2021

Regarding Closed Session on October 5, 2021 (subject to contingencies): The City Council unanimously authorized the submission of a government claim for the California Department of Water Resources and/or the State's failure to comply with an agreement related to the State Water Project and to initiate litigation should it be necessary. The contingencies have since been met and the approval is now final

Agenda Modifications/Approval of Agenda

No modifications were made

Public Communication

Heather Esemann spoke

Consent

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

2. Acceptance of the Resignation of City Manager David Vaughn with the Last Day of City Service on December 10, 2021

The motion was passed with a unanimous vote

Presentations

3. Presentations to Outgoing Mayor

Vice-Mayor Dave Shaw presented Mayor Boomgaarden with a proclamation, ceremonial gavel, and photo from 2021 Mayor's Brunch on behalf of City Council

Laura Nicholson presented Mayor Boomgaarden with a Certificate of Recognition from Senator Nielsen & Assemblyman Gallagher

4. Comments from Outgoing Mayor

Marc Boomgaarden spoke

Business

5. Election of Mayor

Councilmember Kirchner nominated Vice-Mayor Shaw for Mayor

Vice-Mayor Shaw accepted the nomination

Councilmember Kirchner moved and Councilmember Harris seconded the motion to:

Elect Dave Shaw as Mayor

Roll Call:

Ayes: Councilmembers Boomgaarden, Espindola, Harris, Kirchner

Noes: None

The motion was passed with 4 votes

6. Election of Vice-Mayor

Councilmember Harris nominated Councilmember Kirchner for Vice-Mayor

Councilmember Kirchner accepted the nomination

Councilmember Harris moved and Councilmember Boomgaarden seconded the motion to:

Elect Wade Kirchner as Vice-Mayor

Roll Call:

Ayes: Mayor Shaw and Councilmembers Boomgaarden, Espindola, and Harris

Noes: None

The motion was passed with 4 votes

Comments from Councilmembers

7. Comments from Councilmembers

- Councilmember Boomgaarden
- Councilmember Espindola
- Councilmember Harris

8. Comments from new Vice-Mayor

Wade Kirchner spoke

9. Comments from new Mayor

Dave Shaw spoke

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council at 7:11 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk