



## **SPECIAL NOTICE**

**Precautions to Address COVID-19 will apply to this meeting.**

**APRIL 5, 2022**

### **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](mailto: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\\_Fv9kUsGITJ2Qn2HAiCQwZw](https://us06web.zoom.us/webinar/register/WN_Fv9kUsGITJ2Qn2HAiCQwZw)

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

Yuba City Council Meeting – 4/5/2022

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](mailto: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](mailto:cityclerk@yubacity.net).



# **AGENDA**

**APRIL 5, 2022**

## **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**

<b>MAYOR</b>	<ul style="list-style-type: none"><li>• Dave Shaw</li></ul>
<b>VICE MAYOR</b>	<ul style="list-style-type: none"><li>• Wade Kirchner</li></ul>
<b>COUNCILMEMBER</b>	<ul style="list-style-type: none"><li>• Marc Boomgaarden</li></ul>
<b>COUNCILMEMBER</b>	<ul style="list-style-type: none"><li>• Grace Espindola</li></ul>
<b>COUNCILMEMBER</b>	<ul style="list-style-type: none"><li>• Shon Harris</li></ul>
<b>CITY MANAGER</b>	<ul style="list-style-type: none"><li>• Diana Langley</li></ul>
<b>CITY ATTORNEY</b>	<ul style="list-style-type: none"><li>• Shannon L. Chaffin</li></ul>

**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  
APRIL 5, 2022  
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](http://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. Confer with Real Property Negotiator (Government Code 54956.8)  
Property: Public Utility Easement on APN 23-110-007 located on the east side of Garden Highway at Stewart Road, 2700 Garden Highway, Yuba City, California 95991  
Negotiator: Diana Langley, City Manager  
Negotiating parties: Michael Dennis Netherby and Ann Shealy Netherby  
Under negotiation: Price and terms of payment
  
- B. Conference with Labor Negotiators (Pursuant to Government Code, Section 54957.6.)  
Agency designated representatives: Diana Langley, City Manager, Natalie Springer, Human Resources Director, Brad McIntire, Community Services Director, Spencer Morrison, Finance Director, Ben Moody, Public Works and Development Services Director, Brian Baker, Police Chief, Jesse Alexander, Fire Chief, Michael Jarvis, LCS  
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
  
- C. Threats to Public Services or Facilities (Pursuant to Government Code section 54957(a).)  
Consultation with: Director of Finance/IT; Police Chief, City Manager, and City Attorney

**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

City Attorney's Report on Closed Session Items, City Attorney Shannon Chaffin

Agenda Modifications/Approval of Agenda

### **Ceremonial Presentations**

- 1. Women's History Month Spotlight**
- 2. Valley Truck and Tractor Proclamation**
- 3. Community College Month, Honoring Yuba College Proclamation**
- 4. Feather River West Levee Financing Authority Proposed Assessment Presentation**
- 5. Feathers to Farms Program Presentation**

### **Public Communication**

#### **6. 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.

**7. State Route 20 Corridor Improvements Project – Phase 2**

Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption for the State Route 20 Corridor Improvements Project – Phase 2, approving the plans and specifications, and authorizing advertisement for bids on the Project, pending receipt of a Caltrans encroachment permit

**8. Presentation of Investment Report - Quarter Ended December 31, 2021**

Recommendation: Note and File Quarterly Investment Report

**9. Cybersecurity Projects**

Recommendation: A. Authorize the City Manager to utilize ARPA/H.R. 1319, American Rescue Plan Act 2021, funds on cybersecurity projects

B. Authorize the Finance Director to transfer \$400,000 from fund 236, ARPA of 2021, to fund 301, CIP-General Fund Projects

C. Approve supplemental appropriations to account 901292-65501, Citywide IT System Modernization, in the amount of \$400,000

**10. Wastewater Treatment Facility Chlorine Building HVAC Improvements Project (Plans & Specifications)**

Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption for the Wastewater Treatment Facility Chlorine Building HVAC Improvements Project, approving the plans and specifications, and authorizing advertisement for bids on the project

**11. Proposition 1 Integrated Regional Water Management Round 1 Grant Projects**

Recommendation: Adopt a Resolution which takes the following actions:

A. Approves a Professional Services Justification and awards a Professional Services Agreement to West Yost & Associates, Inc. of Davis, CA in the amount of \$180,093 for development of plans and specifications, required permit applications, and other services for the City's two Proposition 1 Integrated Regional Water Management Round 1 Grant Projects: Project 4 North Gilsizer Detention Basin Improvements Project and Project 5 Lincoln Road Trash Capture Device in Gilsizer Slough Project with a finding that it is in the best interest of the City

B. Authorizes the City Manager to execute the Professional Services Agreement on behalf of the City, subject to review and approval as to legal form by the City Attorney

**12. Public Works Engineering Personnel Changes**

Recommendation: A. Adopt a Resolution (i) reclassifying a vacant Senior Engineer position to one (1) additional Deputy Public Works Director –

Engineering position within the Public Works Department and (ii) authorizing the Finance Director to amend the salary schedule to reflect upward compensation adjustments of approximately 12% for the classification

B. Authorize the Finance Director to make budget adjustments as necessary

**13. Biennial Review of the City of Yuba City Conflict of Interest Code**

Recommendation: Adopt a Resolution Amending the City of Yuba City Conflict of Interest Code and list of Designated Positions

**Business Items**

**14. Yuba-Sutter Economic Development District  
2020 CEDS Appendices 1, IV, V updates and 2021 CEDS Annual Performance and Evaluation**

Recommendation: Adopt a Resolution approving the 2021 comprehensive Economic Development Strategy Annual Performance Report and updates to Appendices I, IV, & V as prepared by the Yuba-Sutter Economic Development Corporation and the Comprehensive Economic Development Strategy

**15. Transfer and Indemnification Agreement Between the City of Yuba City and Sutter Butte Flood Control Agency**

Recommendation: Adopt a Resolution authorizing the Mayor to execute a Transfer and Indemnification Agreement Between the City of Yuba City and Sutter Butte Flood Control Agency (SBFCA) to transfer \$1,700,000 of Levee Impact Fees from the City to SBFCA, subject to modifications by the City Manager upon approval of the City Attorney as to legal form

**Future Agenda Items**

**16. 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

**17. City Manager's Report**

**18. City Council Reports**

- Councilmember Boomgaarden
- Councilmember Espindola

- Councilmember Harris
- Vice Mayor Kirchner
- Mayor Shaw

**Adjournment**