

CITY OF YUBA CITY
STAFF REPORT

Date: April 19, 2022
To: Honorable Mayor & Members of the City Council
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Minutes of March 15 and 29, and April 5, 2022
Recommendation: Approve the minutes of March 15 and 29 and April 5, 2022
Fiscal Impact:

Attachments:

1. 03-15-2022 - Regular Meeting Minutes (DRAFT)
2. 03-29-2022 - Special Meeting Workshop (DRAFT)
3. 04-05-2022 - Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk Administrator

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

MINUTES (draft)
CITY COUNCIL - CITY OF YUBA CITY
REGULAR MEETING - MARCH 15, 2022
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 Shaw at 5:00 PM

Roll Call

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

Absent: None

Closed Session

1. Conference with real property negotiator (Govt. Code § 54956.8)

Properties:

APN: 51-62-026, 1.58 acres generally located on Providence Court, west of Clark Avenue and south of Kensington Way, Yuba City, CA 95991

APN: 51-660-084, 0.19 acres generally located on Providence Court, west of Clark Avenue and south of Kensington Way, Yuba City, CA 95991

APN: 57-150-001, 0.47 acres located at 217 S Walton Avenue, Yuba City, CA 95991

APN: 57-150-050, 1.0 acres located at 211 S Walton Avenue, Yuba City, CA 95991

APN: 57-220-065, 0.11 acres generally located on S Walton Avenue between 211 and 217 S Walton Avenue, Yuba City CA 95991

Negotiator: Diana Langley, City Manager Negotiating parties: Habitat for Humanity Under negotiation: Price and terms of payment

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:00 PM

Roll Call

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

Absent: None

Invocation/Inspiration

Bob Fischetti, Yuba City Police Department Chaplain

Pledge of Allegiance to the Flag

Michael Castaneda, Senior IT Analyst

City Attorney's Report on Closed Session Items

No reportable action was taken

Agenda Modifications/Approval of Agenda

No changes were made

Ceremonial Presentations

2. Upholstery Hut Retirement Proclamation for Lynn Sillman

Mayor Shaw presented a proclamation to Upholstery Hut owner Lynn Sillman

3. Sutter County Museum Presentation and Introduction of Executive Director

Molly Bloom, Sutter County Museum Director and Curator, will be presenting

Public Communication

4. Appearance of Interested Citizens

Jackie Sillman (City Clerk) and Laura Nicholson (Senior District Representative for State Senator Jim Nielsen, and Assemblymember James Gallagher) spoke

Consent Calendar

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

5. Minutes of March 1, 2022

Approve the City Council minutes of March 1, 2022

6. 2022 Hazard Mitigation Grant Program Local Match Fund Commitment Letter for Aquifer Storage Recovery Well Project

Adopt a Resolution authorizing the Public Works Director or designee to execute documents, invoices, and reports, including a Local Match Fund Commitment Letter, required to obtain grant funding

7. 2022 Hazard Mitigation Grant Program Local Match Fund Commitment Letter for Water Treatment Plant Low Lift Generator Project

Adopt a Resolution authorizing the Public Works Director or designee is hereby authorized and directed to submit any required documents, invoices, and reports,

including the Local Match Fund Commitment Letter required to obtain grant funding

8. Naming of New Park Development on Harter Parkway

Adopt a Resolution naming the new park development on Harter Parkway Didar S. Bains Park

Manny Cardoza spoke
Megan Bains spoke
Lee Jones spoke

9. Nomination of Councilwoman Espindola to serve as a Board Member of Region2 of the Association of California Water Agencies

Adopt a Resolution nominating Councilwoman Espindola as a Board Member of Region 2 of the Association of California Water Agencies (ACWA)

The motion was passed with a unanimous vote

Business Items

10. Yuba Sutter Tourism Improvement District Renewal - Public Hearing

Mayor Shaw opened the Public Hearing

Marni Sanders spoke
Charles Sharp spoke
Lee Jones spoke
Jacob Foe spoke

Mayor Shaw closed the Public Hearing

City Council took no action on this item

11. Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project – CEQA Adoption

Councilmember Espindola moved and Councilmember Boomgaarden seconded the motion to:

Adopt a Resolution adopting the Initial Study/Mitigated Negative Declaration for the Yuba City Wastewater Treatment Facility Outfall and Diffuser Project (Environmental Assessment EA 21-04)

The motion was passed with a unanimous vote

12. Senate Bill 9 and Accessory Dwelling Unit Ordinance Adoption and Establishing Fees for Urban Lot Splits

Mayor Shaw opened the Public Hearing

No public comment

Mayor Shaw closed the Public Hearing

Councilmember Boomgaarden moved and Councilmember Espindola seconded the motion to

- A. Adopt a Resolution establishing an Urban Lot Split Fee; then
- B. Adopt an Ordinance to update the Yuba City Municipal Code to establish regulations for Urban Lot Splits and two-unit developments in accordance with Senate Bill 9, and adopt amendments to regulations of Accessory Dwelling Units and Junior Accessory Dwelling Units, by title only and waive the second reading

The motion was passed with a unanimous vote

13. Police Services Analyst Position in the Police Department and Rules and Regulations Amendment

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

Adopt a Resolution authorizing:

- A. Amend the Rules and Regulations providing for temporary, extra-help employees to have the ability to apply for internal recruitment
- B. Amend the Police Department Personnel Summary adding the classification of Police Services Analyst
- C. Corresponding change to the publicly-available salary schedule

The motion was passed with a unanimous vote

14. Water Treatment Plant Operator III Limited Term Position

Manny Cardoza spoke

Councilmember Boomgaarden moved and Councilmember Espindola seconded the motion to:

- A. Adopt a Resolution approving one (1) limited term Water Treatment Plant Operator III (LT) position in the Public Works Department for a period not to exceed three (3) years and approving a side letter with Public Employees' Local 1 regarding the representation of the Water Treatment Plant Operator III Limited Term employee
- B. Authorize a supplemental appropriation and related transfers in the amount of \$40,000 from unallocated water funds to Account No. 7120 (Water Treatment Plant Operating Budget) for Fiscal Year 21/22 salary and benefits for the Water Treatment Plant Operator III limited term position

The motion was passed with a unanimous vote

15. Electrical/Instrumentation Supervisor Salary Schedule

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

- A. Adopt a Resolution authorizing the Finance Director to amend the salary schedule to reflect the addition of an Electrical/Instrumentation Supervisor position within the Public Works Department and approving a side letter with the First Level Managers group
- B. Authorize the Finance Director to make budget adjustments as necessary

The motion was passed with a unanimous vote

16. Building Inspection Compensation Adjustments

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

- A. Adopt a Resolution authorizing the Finance Director to amend the salary schedule to reflect compensation adjustments to the Building Inspector classifications within the Development Services Department
- B. Authorize the Finance Director to make budget adjustments as necessary

The motion was passed with a unanimous vote

Future Agenda Items

1. Future Agenda Items:

No suggestions were made

Reports and Communications

2. City Manager's Report

3. City Council Reports

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

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council at 8:21 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

ATTACHMENT 2

MINUTES (draft)
SPECIAL MEETING
HOMELESS WORKSHOP
MARCH 29, 2022 – 6:00 P.M.

Special Meeting

Call to Order

Mayor Shaw called the Special Meeting of the City Council to order at 6:00 PM

Roll Call

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

Absent: None

General Items

Public Communication on Items on the Agenda

1. City Council Team Building and Training Workshop

Presentations by: Dave Shaw, Mayor
Troy Koski, Homeless Liaison Officer
Jesse Alexander, Fire Chief
Rob Condrey, Park Maintenance Superintendent
Eric Ball, Code Enforcement Officer
Scott Chandler, Deputy Director Public Works – Maintenance
Diana Langley, City Manager

2. Appearance of Interested Citizens

Heather Esemann spoke
Jeff Stephens spoke
Steve Smith spoke
Manny Cardoza spoke
Johnny Burke spoke
Mary Buttacavoli spoke
Pamela Langan commented via Zoom
Ronald Eberhardt commented via Zoom
Matthew Floe commented via Zoom
Rita Collins commented via Zoom

Adjournment

The Special Meeting was adjourned by Mayor Shaw at 9:06 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

ATTACHMENT 3

MINUTES (draft)
CITY COUNCIL - CITY OF YUBA CITY
REGULAR MEETING – APRIL 5, 2022
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 Shaw at 5:03 PM

Roll Call

Present: Mayor Shaw, Vice-Mayor Kirchner, and Councilmembers Espindola, and Harris
[Councilmember Boomgaarden joined Closed Session at 5:10 PM]

Absent: None

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

Public comment received from Heather Esemann

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:04 PM

Roll Call

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

Absent: None

Invocation/Inspiration

George Barlow, Management Analyst

Pledge of Allegiance to the Flag

Nick Morris led the pledge of allegiance

City Attorney's Report on Closed Session Items

No reportable action was taken

Agenda Modifications/Approval of Agenda

No changes were made

Ceremonial Presentations

1. Women's History Month Spotlight

Mayor Shaw presented recognized the following women with certificates:

Lynn Haile
Leakena Chan Arredondo
Coleen Morris
Cindy Applegarth
Cynthia Rachel

2. Valley Truck and Tractor Proclamation

Mayor Shaw presented John Miller and family with a proclamation

3. Community College Month, Honoring Yuba College Proclamation

Mayor Shaw presented a proclamation to representatives from Yuba College:

Dr. Tawny Dotson, President
Jeremy Brown, VP for Instruction
Dr. Dwayne Hunt, VP for Student Services
Annabel Toche, Dean for Student Success and Institutional Effectiveness

4. Feather River West Levee Financing Authority Proposed Assessment Presentation

Presentation by: Mike Inamine – HDR (Engineering Firm) Project Manager
Drew Stresser – LD 1/LD 9 (Levee Districts) General Manager

5. Feathers to Farms Program Presentation

Presentation by: Brad McIntire, Community Services Director
Megan Anderson, Animal Services Manager

Public Communication

6. Appearance of Interested Citizens

Tej Mann spoke

Raji Tumber spoke

Michelle Smith Barker spoke

Consent Calendar

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

7. State Route 20 Corridor Improvements Project – Phase 2

Adopt **Resolution 22-035** 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

Note and File Quarterly Investment Report

9. Cybersecurity Projects

- 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)

Adopt **Resolution 22-036** 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

Adopt **Resolution 22-037** 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

- A. Adopt **Resolution 22-038** (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

Adopt **Resolution 22-039** Amending the City of Yuba City Conflict of Interest Code and list of Designated Positions

The motion was passed with a unanimous vote

Business Items

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

Councilmember Espindola moved and Councilmember Harris seconded the motion to:

Adopt **Resolution 22-040** 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

The motion was passed with a unanimous vote

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

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

Adopt **Resolution 22-041** 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

The motion was passed with a unanimous vote

Future Agenda Items

16. Future Agenda Items

No suggestions were made

Reports and Communications

17. City Manager's Report

18. City Council Reports

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

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council in memory of Senator Don Young at 8:25 PM

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk