

Regular Meeting City Council

March 15, 2022 – 5:00 pm

Closed Session

Call to Order

1. Closed Session Items

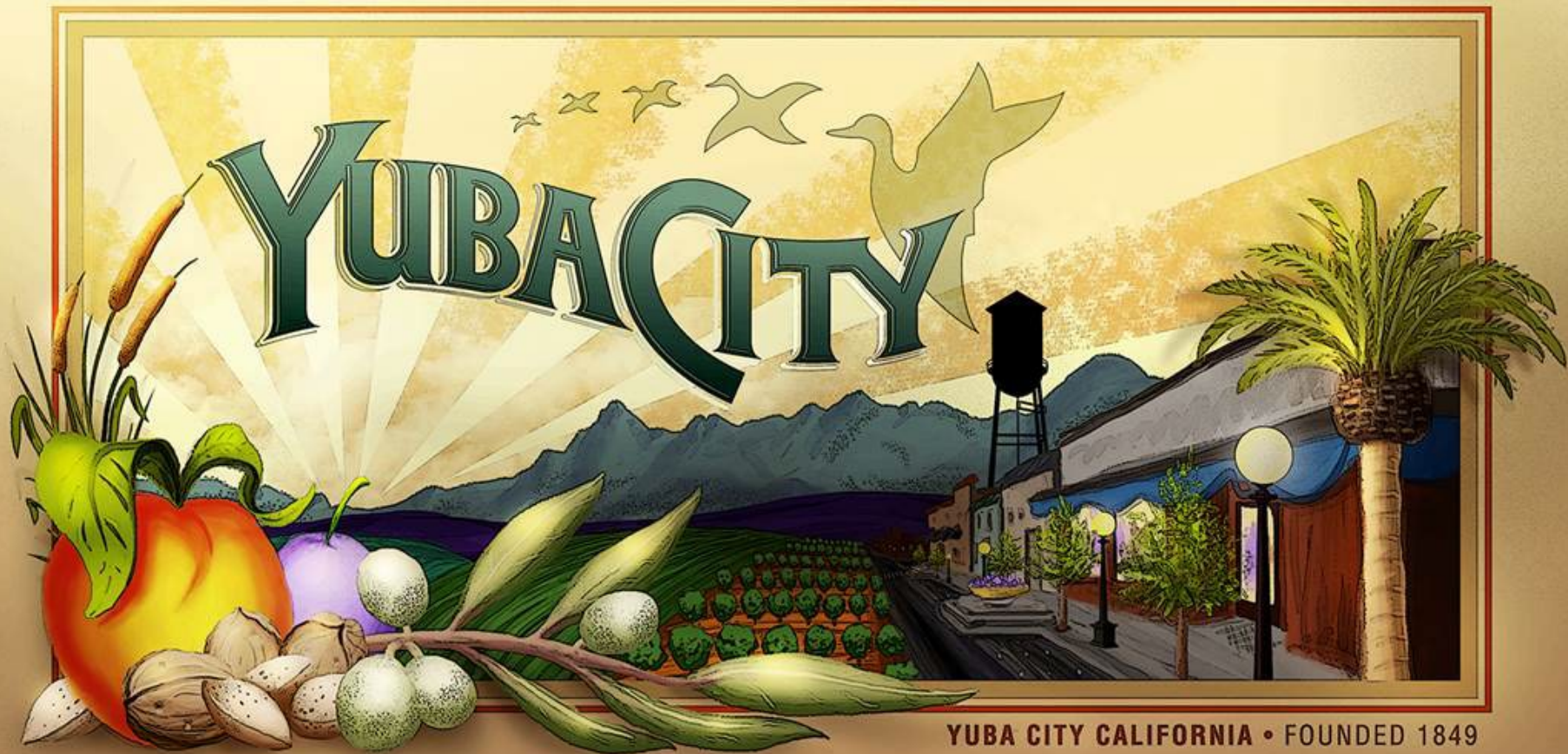
Adjourn to Closed Session

Council is in Closed Session –

Regular meeting will begin at 6:00 pm



YUBA CITY



YUBA CITY CALIFORNIA • FOUNDED 1849

Regular Meeting City Council

March 15, 2021

Call to Order

Invocation/Inspiration

Pledge of Allegiance to the Flag

City Attorney's Report on Closed Session Items

Agenda Modifications/Approval of Agenda



Ceremonial Presentations

2. Upholstery Hut Retirement Proclamation for Lynn Sillman
3. Sutter County Museum Presentation and Introduction of Executive Director [Presentation](#)



Public Communication

4. Appearance of Interested Citizens



Consent Calendar

5. Minutes of March 1, 2022
6. 2022 Hazard Mitigation Grant Program Local Match Fund Commitment Letter for Aquifer Storage Recovery Well Project
7. 2022 Hazard Mitigation Grant Program Local Match Fund Commitment Letter for Water Treatment Plant Low Lift Generator Project



Consent Calendar - continued

8. Naming of New Park Development on Harter Parkway
9. Nomination of Councilwoman Espindola to serve as a Board Member of Region 2 of the Association of California Water Agencies



Business Items

10. Yuba Sutter Tourism Improvement District Renewal –
Public Hearing

11. Wastewater Treatment Facility Effluent Discharge
Outfall Diffuser Project – CEQA Adoption [Presentation](#)

12. Senate Bill 9 and Accessory Dwelling Unit Ordinance
Adoption and Establishing Fees for Urban Lot Splits
[Presentation](#)



Business Items - continued

13. Police Services Analyst Position in the Police Department and Rules and Regulations Amendment
[Presentation](#)

14. Water Treatment Plant Operator III Limited Term Position
[Presentation](#)



Business Items - continued

15. Electrical/Instrumentation Supervisor Salary Schedule

Presentation

16. Building Inspection Compensation Adjustments

Presentation



Future Agenda Items

17. Future Agenda Items



Reports and Communications

18. City Manager's Report

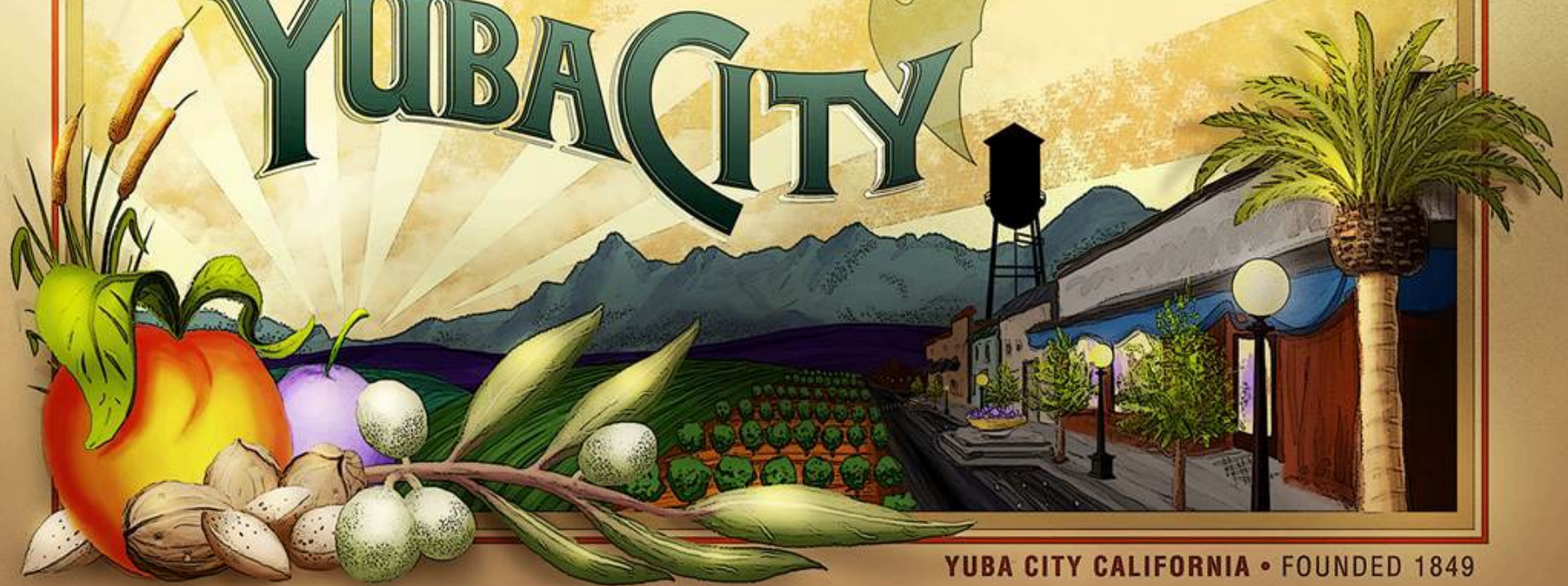
19. City Council Reports

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

Adjournment



YUBA CITY



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Molly Bloom

Museum Director and Curator





Mission

The Sutter County Museum shares local stories to strengthen community bonds, to inspire celebration of our diverse cultural heritage, and to demonstrate how understanding the past prepares us for the future.

Organization Structure

- Department of Sutter County
 - Staff salaries & benefits
 - Utilities
 - Building Maintenance
 - Basic business expenses
- Museum Association
 - Temporary Exhibits
 - Replacing permanent exhibits
 - Education programs
 - Gift Shop
 - Marketing
 - Artisan Community Garden



Permanent Exhibits

- Sutter Buttes
- Nisenan
- History of Agriculture
- John Sutter



Permanent Exhibits

- Multi-Cultural Gallery
- Early days in Yuba-Sutter







Education Programs

Adult Programs

Lectures

Gallery Talks

New Book Presentations

Children's Programs

Night at the Museum

Annual Holiday Open House

Spring Break Programs





Ettl Hall Rental Facility

- Weddings
- Quinceañeras
- Birthdays
- Baby Showers
- Celebrations of Life
- Meetings
- Public Events
- And more!



Building A Life at Tule
When Japanese Americans first arrived at Tule Lake they found their barrack rooms bare. Only a few cots with thin mattresses, a single light bulb, a bucket, and a coal heating stove were provided. The task to turn these barrack rooms into homes required resourcefulness.



Disrupted Life: Replica Barrack from the Tule Lake Internment Camp

Current temporary exhibit, on display through May 1



Features objects from our collection and community that speak to experiences at internment camps by local community members.

Disrupted Life Exhibit Partnerships

- Yuba Sutter Arts & Culture
 - California State Library
- Marysville JACL
- Valene L. Smith Museum of Anthropology at CSU, Chico



Achievements for FY 2021-22 Include

- Hired a new fundraising position, split 50/50 with the Sutter County Library.
- Continued to offer temporary exhibitions and educational programs.
- Continued the inventory of artifacts in the collection.
- Made progress in catching up with backlog of accessions work.
- Completed a Master Plan to guide redevelopment of permanent exhibits and development of future exhibits at the Museum.



The Newest Americans

This temporary exhibit captures experiences of immigrants from 23 countries and prompts discussion on America's legacy as a nation of immigrants and the future of the American dream.

On display mid-May to early September



Beauty and the Beast: California Wildflowers and Climate Change

International award-winning photographers Rob Badger and Nita Winter have worked to capture California's vanishing wildflowers, bringing awareness to the beauty of the Golden State as well as to the dangers facing our natural habitats from climate change.

On display from late
September-November.

Business Memberships

Business Basic*** – \$250

- Listing on Website
- Ad in 1 Issue of Bulletin

Business Basic Plus*** – \$500

- Everything in the Business Basic level plus...
- Ad in all 4 Bulletins

Business Sustaining*** – \$1000

- Everything in the Business Basic Plus level plus...
- Free use of Museum for 1 Corporate Event

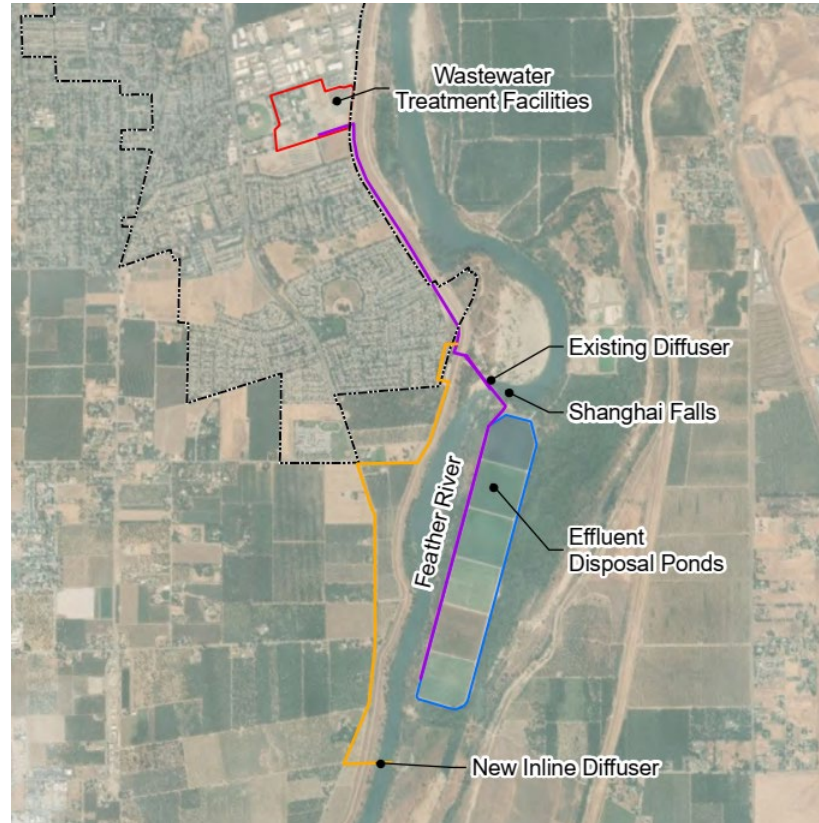
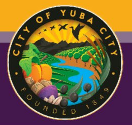


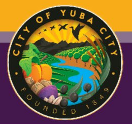
Wastewater Treatment Facility Outfall Diffuser Project – CEQA Adoption March 15, 2022



**Presentation By:
Ben Moody, Public Works Director**

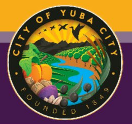
Location Map





Background

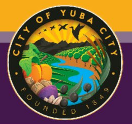
- WWTF has two options to dispose of treated effluent:
 - Outfall diffuser pipe at Shanghai Falls
 - Ponds on the east side of the main river
- In 2011, Feather River scoured a deep channel in Shanghai Falls
- Existing diffuser pipe exposed under normal river flows
- 2017 Oroville Dam emergency caused further changes to the Feather River



Background

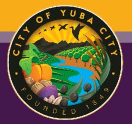
- Existing diffuser can only discharge to river when conducting pond maintenance
- Only feasible option discharge treated effluent is the ponds
- Limited in capacity
- Require routine monitoring and maintenance
- Vulnerable to damage during times of high water

Background



- Under contract with CH2M Hill Engineers, Inc. of Sacramento
- Recently completed 90% Design for new outfall
- Permitting applications in progress
- Needs to provide evidence of CEQA compliance

Analysis



- Yuba City is lead agency for CEQA compliance
- CH2M Hill prepared an Initial Study/Mitigated Negative Declaration (IS/MND)
- IS/MND filed with the State Clearinghouse on January 13, 2022 and circulated for public review through February 11, 2022

Analysis



- Comments received
 - Central Valley Regional Water Quality Control Board
 - California State Lands Commission
 - California Department of Fish and Wildlife
- Native American Tribal consultation per Assembly Bill 52
- Mitigation measures addressing all comments and concerns are incorporated into the project and final IS/MND.
- Project will not result in any significant impacts to the environment through the inclusion of appropriate avoidance, minimization, and mitigation measures included in the IS/MND.

Alternatives



- Do not adopt the Initial Study/Mitigated Negative Declaration and direct staff to provide further CEQA analysis.

Recommendations



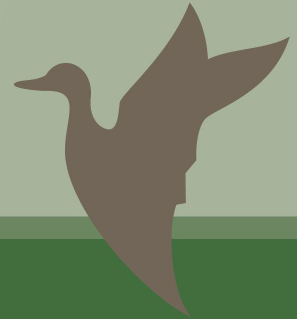
- Adopt a Resolution adopting the Initial Study/Mitigated Negative Declaration for the Yuba City Wastewater Treatment Facility Outfall and Diffuser Project (Environmental Assessment EA 21-04)



Questions



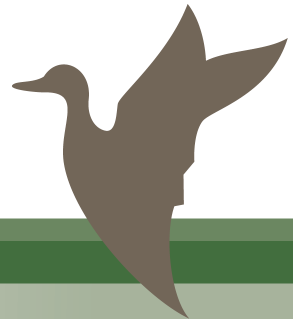
Senate Bill 9 and Accessory Dwelling Unit Ordinance Adoption & Establishing Urban Lot Split Fee



Ben Moody, Public Works and Development Services Director
March 15, 2022

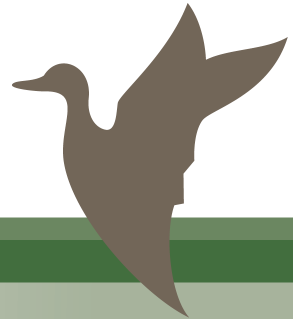
Purpose

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 Accessory Dwelling Units, and establish a fee for Urban Lot Splits.



Background

- Senate Bill 9 (SB 9) became effective January 1, 2022 and requires the approval of up to two primary dwelling units per parcel in single-family residential zones (R-1)
- State law also requires cities to allow the development of accessory dwelling units (ADU) and junior ADUs that do not conflict with state law, and City's regulations need to be updated.
- Ordinance was introduced at the regular held City Council meeting on March 1, 2022

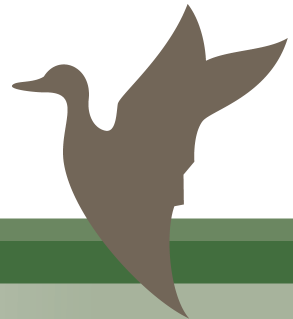




SB 9 Proposed Ordinance

Senate Bill 9 has two primary effects

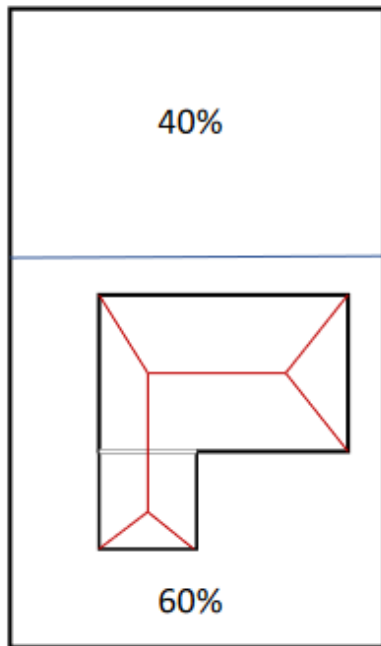
- Requires cities to permit up to two primary residences on each parcel in R-1 zone, where previously one primary residence was allowed
- Requires cities to permit owners of R-1 lots to split their lots and create two separate smaller parcels
- When combined with ADUs and JADUs, a parcel in the R-1 zone could have up to four dwelling units





SB 9 will allow:

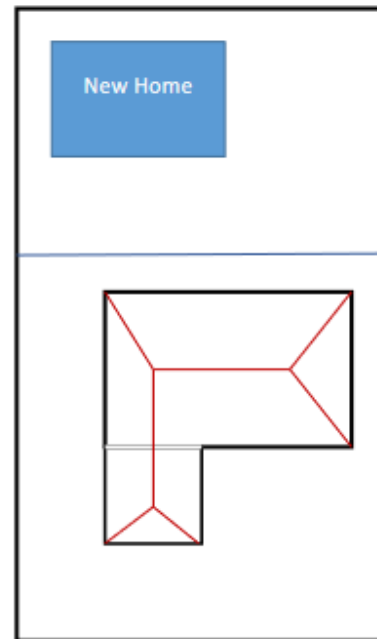
- A Lot Split
- 40% min. of the original lot w/no setback required to the original home



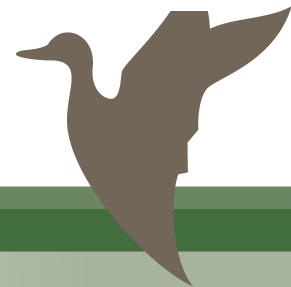
Public Street

SB 9 will allow:

- A Lot Split
- A New Home
- 4 ft side and rear yard setback



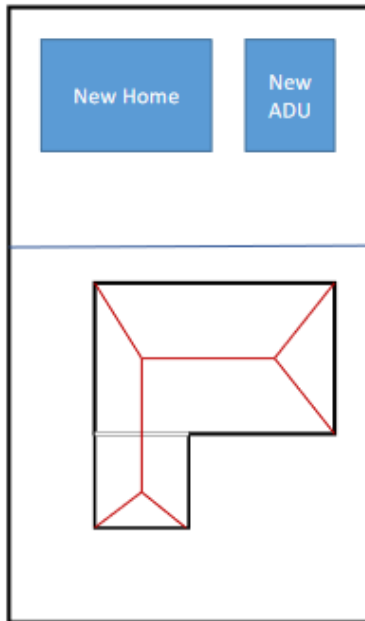
Public Street





SB 9 will allow:

- A Lot Split
- A New Home - 4 ft side and rear yard setback
- A new ADU

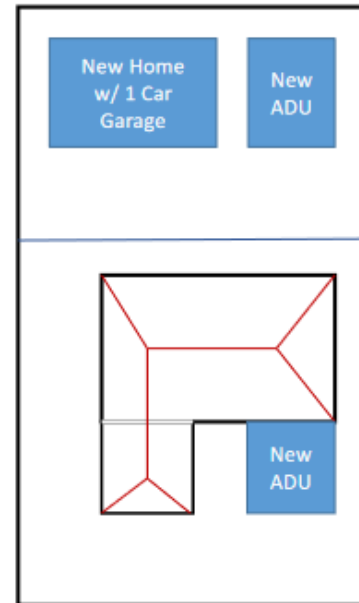


Public Street

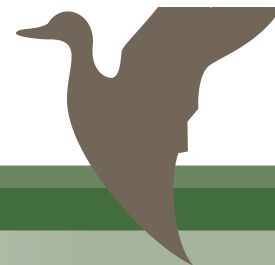
SB 9 will allow:

- A Lot Split
- A New Home - 4 ft side and rear yard setback
- A new ADU
- A new ADU or Jr. ADU to the original home

A Total Of 4 Units

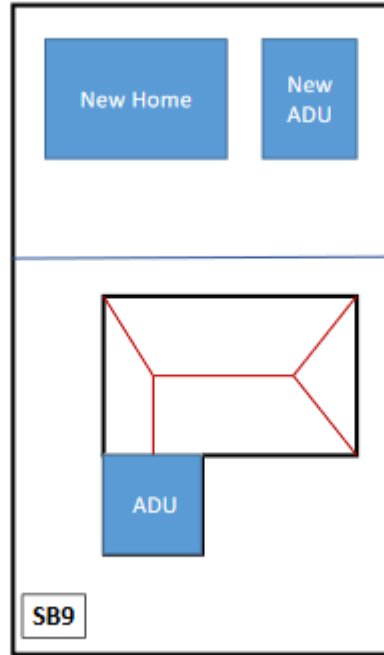


Public Street

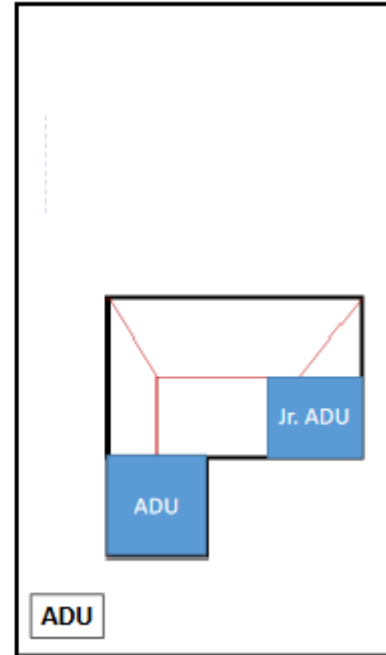


SB 9 will allow:
A Total Of 4 Units

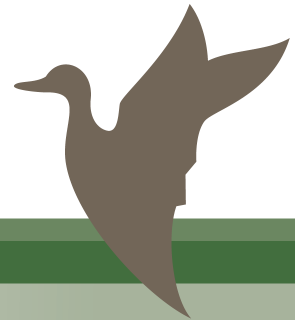
Current ADU Law allows:
A Total Of 3 Units



Public Street



Public Street





Fire Requirements

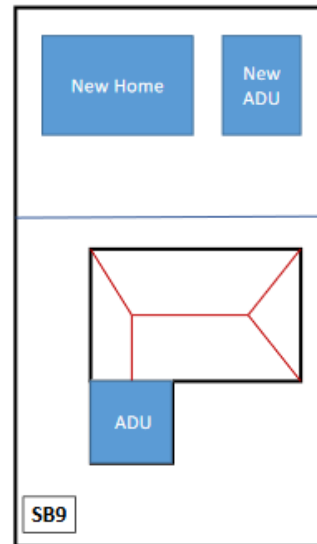
Per the Ordinance, Sec. 8-5.5004.
Accessory dwelling units.

(D) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary dwelling unit.

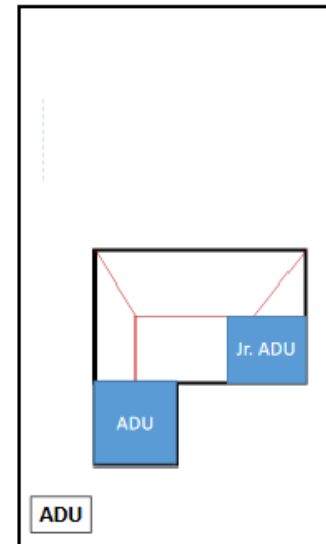
(F) Accessory dwelling units and junior accessory dwelling units must comply with the building code, fire code, health and safety codes, and noise insulation standards applicable at the time the building permit for the accessory dwelling unit or junior accessory dwelling unit is issued.

SB 9 will allow:
A Total Of 4 Units

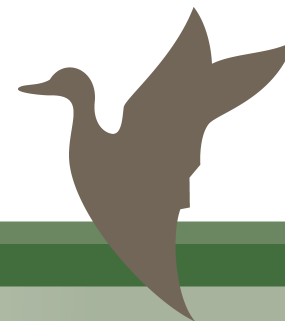
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A Total Of 3 Units



Public Street

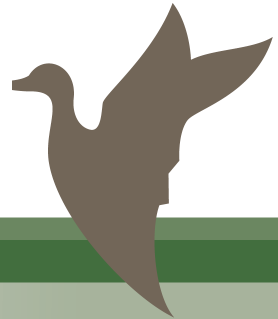
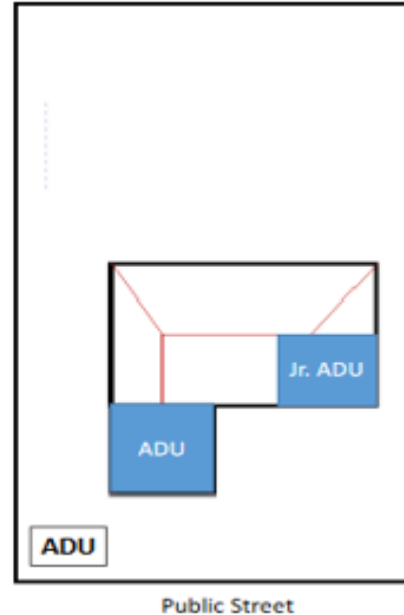


Public Street



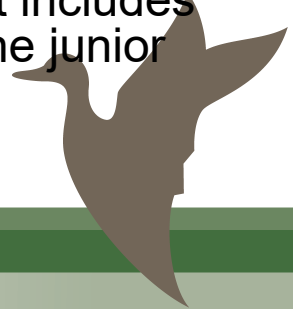
Accessory Dwelling Unit/Junior Accessory Dwelling Unit Regulations

- ADUs and JADUs are allowed in all zones that allow multifamily and/or single-family residences.
- JADUs may only be up to 500 square feet and must be located within a single-family residence.
- Size limit for ADUs:
 - (i) 1,200 square feet for detached ADUs;
 - (ii) 1,200 square feet or 50% of the primary dwelling structure, whichever is less, for attached ADUs; and
 - (iii) no size limit for ADUs located completely with an existing permitted structure.
- ADUs must include complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including a kitchen and bathroom.



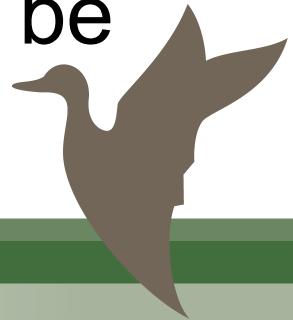
Accessory Dwelling Unit/Junior Accessory Dwelling Unit Regulations

- JADUs must include living facilities for one or more persons, including permanent provisions for living, sleeping, eating, and cooking, including an efficiency kitchen (as defined). JADUs may include separate sanitation facilities or may share sanitation facilities with the primary residence.
- JADUs and ADUs must have their own separate entrances.
- In general, one parking space is required for each ADU; however, there are many significant exceptions to this requirement. The City cannot require parking spaces for JADUs.
- ADUs and JADUs cannot be used for short-term rentals (less than 31 days).
- The property owner must reside in any single-family residence that includes a junior accessory dwelling unit. The owner may reside in either the junior accessory dwelling unit or the remaining portion of the structure.



Urban Lot Split Fee

- Staff is proposing the Urban Lot Split fee to be equivalent to the existing Lot Line Adjustment fee due to the process and level of review being similar.
- The current fee is \$877.82, which will be adjusted annually for inflation.





Environmental Determination

City staff has performed a preliminary environmental assessment and has determined that the adoption of SB 9 regulations is not a “project” for purposes of the California Environmental Quality Act (CEQA) pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the adoption of an Ordinance regarding second units (ADUs) in a single-family or multifamily residential zone to implement the provisions of Government Code Sections 65852.2 and 65852.22 is exempt from CEQA review pursuant to Public Resources Code Section 21080.17. **Therefore, the proposed Ordinance does not require any environmental review under CEQA.**

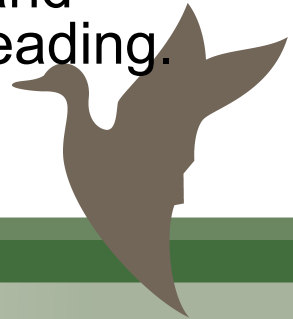


Recommendation

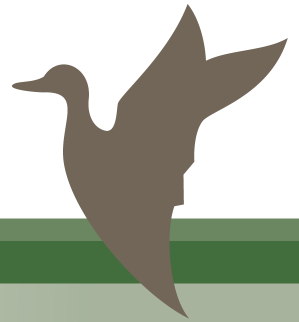
- A. Conduct a Public Hearing for the consideration of establishing an Urban Lot Split fee; and

- B. Adopt a Resolution establishing an Urban Lot Split Fee; then

- C. 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, and waive the second reading.



Questions?





**Police Services Analyst Position
Chief Brian Baker and HR Director Natalie Springer**

Background

- Part-time employee
- Training
- Redaction of audio and video recordings
- Gathering data for administrative investigations
- RIPA Audits

Legislative Mandates

- SB 1421
 - Release of certain peace officer records
- SB 2
 - Decertification of peace officers
- AB 748
 - Audio and video disclosure act

Peace Officer Standards and Training

- Frequency of POST Course updates
 - Annually vs. Bi-Annually
- Since January 2020 \$88,607 in reimbursements from POST

Need for the Position

- Workload has exceeded the capabilities and legal time constraints that we have for part-time employees.
- Part time person will run out of hours
- Work will have to go undone or distributed to staff that is already at capacity with the tasks and projects they are assigned.

Rules and Regulations Amendment

- Temp and Extra Help employees
 - Currently employed by City
 - Have worked for City for over one year
 - Meet the minimum qualifications
 - Ability to apply for internal recruitments city wide and departmental only

Fiscal Impact

- Will come from not filling a vacant CSO position (\$96,600),
- Eliminating the part time position that is currently filled (\$19,400), totaling \$116,000
- Annual cost for Salary and Benefits for the Police Services Analyst position is \$102,700
- There is no additional funding needed for FY 21/22.

Alternatives

- Do not approve the recommended Police Services Analyst position.
- Do not approve the Rules and Regulations amendment.
- Provide City staff direction.

Recommendation

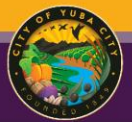
- Adopt a Resolution authorizing:
 - A. Amend the Rules and Regulations providing for temporary, extra-help employees to apply for internal recruitments
 - B. Amend the Police Department Personnel Summary adding the classification of Police Services Analyst
 - C. Corresponding change to the publicly available salary schedule



Water Treatment Plant Operator III Limited Term Position

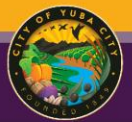


Phillip Marler
Deputy Public Works Director – Utilities



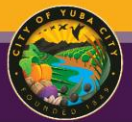
WTP Operations Need

- Water Treatment Plant (WTP) requires minimum Drinking Water Treatment 3 (T3) certification to operate independently
- Highly competitive field with difficult recruitment history
- **Three (3) long-term operators eligible to retire**
- Need way to develop T2 operators to T3 level
- Collaborative solution developed by WTP staff, Public Works management, Local 1, and Human Resources over several months



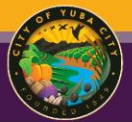
Limited Term Position

- WTP Operator III three (3) year limited term position
- Underfill initially as WTP Operator II
- Capture institutional knowledge and field experience
- Appropriate time and support to meet T3 certification requirements and the WTP Operator III minimum qualifications
- Certification list expires June 3, 2022



Local 1 Side Letter

- Limited term positions typically unrepresented
- Local 1 requested to represent the Water Treatment Plant Operator III, Limited Term
- Incumbent may be appointed directly to a WTP Operator vacancy during the term

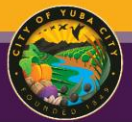


Fiscal Impact

Account No. 7120 (Water Treatment Plant)

\$324,500 Estimated Total Cost

- \$105,900 – Year 1
- \$108,200 – Year 2
- \$110,400 – Year 3
- Requesting supplemental appropriation of \$40,000 for Fiscal Year 21/22
- Budgeted as WTP Operator III – will be less when filled as an Operator II



Recommendation

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 authorize the Finance Director to make budget adjustments as necessary and approving a side letter with Public Employees' Local 1 regarding the representation of the Water Treatment Plant Operator III Limited Term position.

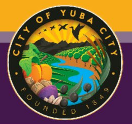
B. Authorize a supplemental appropriation and related transfers in the amount of \$40,000 from unallocated water funds to Account No. 7120 (Water Treatment Plant Operating Budget) for Fiscal Year 21/22 salary and benefits for the Water Treatment Plant Operator III limited term position.



Electrical/Instrumentation Supervisor Salary Schedule

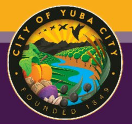


Ben Moody
Public Works and Development Services Director



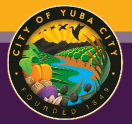
Electrical & Instrumentation

- Division consists of:
 - Two (2) Electrical Technicians
 - One (1) Instrumentation Technician
 - One (1) part-time Extra Help Electrical Technician
- Historically work independently and are supervised by assigned facility supervisors
- Electrical/Instrumentation Supervisor approved in Fiscal Year 21/22 budget
- Intent is to create a cohesive and efficient division



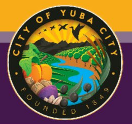
Salary Schedule

- \$7,249 - \$8,811 Monthly
- \$41.82 - \$50.83 Hourly
- Set 15% above Electrical Technician III
- Salary is within 5% below regional median



Side Letter

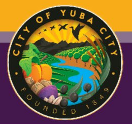
- Side letter with First Level Managers (FLM)
- Updates the Appendix A list of represented classifications
 - Add Electrical/Instrumentation Supervisor
 - Add other unlisted classifications to match current salary schedule



Fiscal Impact

\$149,800 Annually

- 35% Water Fund (\$52,430)
- 55% Wastewater Fund (\$82,390)
- 10% General Fund (\$14,980)
- \$1,200 less than estimated in FY 21/22 budget
- Position will reduce need for expensive electrical and instrumentation contractors



Recommendation

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.

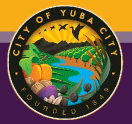
B. Authorize the Finance Director to make budget adjustments as necessary.



Building Inspection Compensation Adjustments

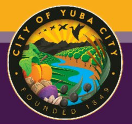


Ben Moody
Public Works and Development Services Director



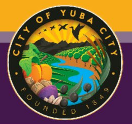
Need

- Significant increase in commercial and residential projects, including 300-400 houses for Summer 2022
- Building Inspector II to retire in September
- Intend to overfill to capture institutional knowledge and experience
- Highly competitive field in both public and private sectors
- Neighboring agencies have recently increased compensation and provided incentives to fill inspector positions



Compensation Adjustments

- **Increases:**
 - **14.83% Building Inspector I**
 - **20.00% Building Inspector II**
- 22%-33% below market median per compensation study in January 2021 and 14 agency regional base-study in February 2022
- Creates a 15% ratio within the series
- Without successful recruitment, will need to hire consultants at approximately 60% above in-house rates



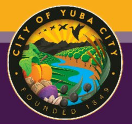
Fiscal Impact

\$28,300 Annually – Account No. 1920 (Building)

Building Inspector I: \$11,400

Building Inspector II: \$16,900

- Two flexibly staffed positions – may be less if both staffed at Building Inspector I level
- Funded in part by building permit and inspection fee revenue
- Reduce or eliminate need for consultant services



Recommendation

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.