



## SPECIAL NOTICE

**Precautions to address COVID-19 (a.k.a. the “Coronavirus”) will apply to this meeting. See below for additional details.**

**MARCH 24, 2020**

### **SPECIAL 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”). The Governor also issued **Executive Order N-33-20**, which directs Californians to follow public health directives including canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still meeting state transparency requirements.

The Public’s health and well-being are the top priority for the City of Yuba City and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting will be available by:

- **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 by the City Clerk. Please identify the Agenda item you wish to address in your comments.

To join the web base virtual meeting please follow these instructions:

**A. Click the [NEW](#) link to sign up for the webinar at the specified time and date:**

**[GoToWebinar Yuba City Special Meeting](#)**  
**[March 24, 2020](#)**

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

### **Yuba City Council Meeting - 3/24/2020**

Tue, Mar 24, 2020 6:00 PM - 8:00 PM PDT

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.

Questions or Comments? Email contact: [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net)

***Note – currently the video conferencing process does not allow for verbal comments. Comments will be received via email to [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net)***

***It is highly encouraged that participation in the Council meeting occur via the process explained above, however, any members of the public who do not have access to the internet or smartphone and still wish to physically attend will have the right to observe and offer public comment at the meeting from the publicly-accessible Sutter Room, located immediately across from the Council Chambers.***



## AGENDA

MARCH 24, 2020

### SPECIAL MEETING CITY COUNCIL CITY OF YUBA CITY

5:00 P.M. CLOSED SESSION: TELECONFERENCE & SUTTER ROOM

6:00 P.M. SPECIAL MEETING: **VIRTUAL MEETING**

MAYOR	• Shon Harris
VICE MAYOR	• Marc Boomgaarden
COUNCILMEMBER	• Manny Cardoza
COUNCILMEMBER	• Grace Espindola
COUNCILMEMBER	• Dave Shaw
ACTING CITY MANAGER	• Diana Langley
CITY ATTORNEY	• Shannon L. Chaffin

1201 Civic Center Blvd,  
Yuba City CA 95993

  
AGENDA

*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***

**NOTICE AND CALL OF SPECIAL MEETING  
CITY COUNCIL  
CITY OF YUBA CITY  
MARCH 24, 2020  
5:00 P.M. – CLOSED SESSION  
6:00 P.M. – VIRTUAL MEETING**

**PLEASE TAKE NOTICE**, that pursuant to California Government Code Section 54956, Mayor Shon Harris has called a Special Meeting of the City Council as set forth in this Agenda.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet will be 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 need to contact the City Clerk via email at [cityclerk@yubacity.com](mailto:cityclerk@yubacity.com) to have an opportunity to their comments submitted to the City Council prior to the City Council convening into closed session. Comments from the public will be limited to three minutes. Once the City Council convenes into closed session, no other comments will be accepted.

Contact the City Clerk in advance of the closed session by phone message at (530) 822-4817, or email [cityclerk@yubacity.net](mailto:cityclerk@yubacity.net).

**Special Closed Session – Teleconference & Sutter Room**

Call to Order

Roll Call:       \_\_\_ Mayor Harris  
                  \_\_\_ Vice Mayor Boomgaarden  
                  \_\_\_ Councilmember Cardoza  
                  \_\_\_ Councilmember Espindola  
                  \_\_\_ Councilmember Shaw

**Closed Session**

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, or Director of Public Works/Interim City Manager

**Special Meeting COVID-19 – Teleconference & Council Chambers**

**1. Confirmation of Proclamation of Local Emergency (COVID-19)**

Recommendation:    Adopt a Resolution Confirming the Director of Emergency Services' Proclamation of the Existence of a Local Emergency within the City of Yuba City (COVID-19)

**2. Emergency Suspension of Utility Penalties and Terminations**

Recommendation:    Adopt a resolution authorizing the temporary waiver of late-payment penalties, suspension of disconnections, and deferral of payments for water and sewer utilities in response to the COVID-19 pandemic

**3. Discussion and Action on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic**

Recommendation: Discuss and provide direction to staff.

**Public Communication on Items on the Agenda**

**4. Appearance of Interested Citizens**

Members of the public may address the City Council concerning any item that has been described in the notice of this meeting.

**Adjourn**

CITY OF YUBA CITY  
STAFF REPORT

**Date:** March 24, 2020  
**To:** Honorable Mayor & Members of the City Council  
**From:** Administration  
**Presentation By:** Diana Langley, Interim City Manager

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**Summary:**

**Subject:** Confirmation of Proclamation of Local Emergency (COVID-19)  
**Recommendation:** Adopt a Resolution Confirming the Director of Emergency services' Proclamation of the Existence of Local Emergency within the City of Yuba City (COVID-19)  
**Fiscal Impact:** The Proclamation will provide access to additional resources if necessary

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**Purpose:**

To declare a local emergency to make additional resources available to address the effects of COVID-19.

**Background:**

The Center for Disease Control (CDC) activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the Country and on March 3, 2020. On March 13, 2020 the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency.

Sutter County declared a local emergency, and on March 18, 2020, the Yuba-Sutter Health Officer issued a directive to stay home except for essential activities. On March 19, 2020 California Governor Newsom issued Executive Order 33-20, ordering California citizens to stay home.

In compliance with the Municipal Code, Interim City Manager Diana Langley as Director of Emergency Services for the City, declared the existence of a local emergency within the City of Yuba City on March 21, 2020. The Director of Emergency Services is empowered to issue an emergency proclamation if the City Council is not in session. The local emergency must be ratified by the City Council within seven days for it to remain in effect. Once confirmed by Council, the Local Emergency Proclamation will remain in effect until it is terminated by Council.

**Analysis:**

The City is currently faced with many emerging issues from employee concerns, facility issues, to potential impacts on our citizens. The powers provided for in the local emergency proclamation will enable the City to procure necessary goods and services, establish necessary rules and regulations, and redeploy existing resources to best protect the health and safety of our employees, the well-being of our residents, the health of our economy, and the continued provision of City services.

**Fiscal Impact:**

The Proclamation will provide access to additional resources if necessary. The Finance Director is currently working on an overview of potential impacts to the City as relates to COVID-19.

**Recommendation:**

Adopt a Resolution Confirming the Director of Emergency services' Proclamation of the Existence of Local Emergency within the City of Yuba City (COVID-19).

**Attachments:**

- A. Resolution Confirming Proclamation
- B. Proclamation dated March 21, 2020, declaring a local emergency in Yuba City.

**Prepared by:**

*/s/ Terrel Locke*

Terrel Locke  
Assistant to the City Manager

**Submitted by:**

*/s/ Diana Langley*

Diana Langley  
Interim City Manager

**Reviewed By:**

City Attorney

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Finance

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**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA  
CITY CONFIRMING THE DIRECTOR OF EMERGENCY  
SERVICES' PROCLAMATION OF THE EXISTENCE OF A  
LOCAL EMERGENCY WITHIN THE CITY OF YUBA CITY  
(COVID-19)**

**WHEREAS**, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was first identified in Wuhan City, Hubei Province, China; and

**WHEREAS**, COVID-19 has since spread outside of China, impacting more than 100 countries, now including the United States; and

**WHEREAS**, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

**WHEREAS**, the California Department of Public Health has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and

**WHEREAS**, on March 3, 2020, Governor Newsom declared the existence of a state of emergency for the State of California; and

**WHEREAS**, on March 11, 2020, the Director-General for the World Health Organization declared that COVID-19 can be characterized as a "pandemic"; and

**WHEREAS**, on March 13, 2020, the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency; and

**WHEREAS**, the Sutter County has declared a local emergency, and on March 18, 2020, the Yuba-Sutter Health Officer issued directive to stay home except for essential activities; and

**WHEREAS**, on March 19, 2020, Governor Newsom issued a "stay home" order per Executive Order 33-20; and

**WHEREAS**, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases within the City, and to prepare to respond to an increasing number of individuals who may require medical care; and

**WHEREAS**, strict compliance with certain Municipal Code and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19, which issue cannot be timely addressed absent a declaration of emergency; and

**WHEREAS**, Sections 2-8.05 and 2-8.06 of the Yuba City Municipal Code appoint the City Manager as the Director of Emergency Services and empowers the Director to issue an emergency proclamation if the City Council is not in session; and

**WHEREAS**, on March 21, 2020, the City's Director of Emergency Services declared a local emergency thereby activating the Emergency Operations Center; and

**WHEREAS**, per Government Code Section 8630 a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council; and

**WHEREAS**, the Director of Emergency Services requests that the City Council of the City of Yuba City proclaim the existence of a local emergency; and

**WHEREAS**, after consideration of all items before it, the City Council of the City of Yuba City now desires to declare a state of emergency to make additional resources available to address the effects of COVID-19.

**NOW, THEREFORE**, the City Council of the City of Yuba City does resolve as follows:

1. The conditions of extreme peril to the safety of persons and property have arisen within the City of Yuba City, caused by the effects of COVID-19.

2. The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City's Emergency Service Director.

3. The City Council does hereby ratify and confirm the declaration of a local emergency by the Emergency Services Director.

4. During the existence of said local emergency, the powers, functions and duties of the Emergency Services Director and the City's Civil Defense and Disaster organization shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency. In this regard, the Council desires to make clear the powers, functions, and duties include:

(a) As necessary for the public health, life, and property, entering into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of COVID-19.

(b) The Emergency Services Director is expressly authorized to assist with any lawful order, including the enforcement of an order of quarantine or curfew, as well as ordering potentially ill City employees to leave the workplace, authorizing certain City employees to work remotely, taking steps to limit non-essential contact by City employees, etc., to address the effects of COVID-19.

5. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

6. The Government Code Section 8630 requirement that the Council review of the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency has been waived for the duration of the statewide emergency declared by Governor Newsom. If this declaration of local emergency extends for more than the duration of the statewide emergency declared for COVID-19, City Staff are directed to thereafter return this item for Council review of the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency.

7. This Resolution shall take effect immediately. This Resolution and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

The foregoing resolution was adopted by the City Council of the City of Yuba City at a special meeting thereof held on the 24<sup>th</sup> day of March, 2020.

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Shon Harris, Mayor

\_\_\_\_\_  
Terrel Locke, Deputy City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Shannon L. Chaffin, City Attorney  
Aleshire & Wynder, LLP

*Attachment: Emergency Proclamation*

**ATTACHMENT A**

**PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES**

**PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF YUBA CITY DECLARING THE EXISTENCE OF A LOCAL EMERGENCY WITHIN THE CITY OF YUBA CITY (COVID-19)**

**WHEREAS**, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was first identified in Wuhan City, Hubei Province, China; and,

**WHEREAS**, COVID-19 has since spread outside of China, impacting more than 100 countries, now including the United States; and

**WHEREAS**, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country, and;

**WHEREAS**, the California Department of Public Health has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and

**WHEREAS**, on March 3, 2020, Governor Newsom declared the existence of a state of emergency for the State of California; and,

**WHEREAS**, on March 11, 2020, the Director-General for the World Health Organization declared that COVID-19 can be characterized as a “pandemic”; and

**WHEREAS**, on March 13, 2020, the President of the United States declared that the outbreak of COVID-19 in the United States constitutes a national emergency; and

**WHEREAS**, the Sutter County has declared a local emergency, and on March 18, 2020, the Yuba-Sutter Health Officer issued directive to stay home except for essential activities; and

**WHEREAS**, on March 19, 2020, Governor Newsom issued a “stay home” order per Executive Order 33-20; and

**WHEREAS**, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases within the City, and to prepare to respond to an increasing number of individuals who may require medical care; and

**WHEREAS**, strict compliance with certain Municipal Code and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19, which issue cannot be timely addressed absent a declaration of emergency; and

**WHEREAS**, Sections 2-8.05 and 2-8.06 of the Yuba City Municipal Code appoint the City Manager as the Director of Emergency Services and empowers the Director to issue an emergency proclamation if the City Council is not in session; and,

**WHEREAS**, per Government Code Section 8630 a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council; and

**WHEREAS**, after consideration of all items the Director of Emergency Services now desires to

proclaim the existence of a state of emergency to make additional resources available to address the effects of COVID-19.

**NOW, THEREFORE**, the Director of Emergency Services for the City of Yuba City does find and proclaim as follows:

1. The Director of Emergency Services finds that the conditions of extreme peril to the safety of persons and property have arisen within the City of Yuba City, caused by the effects of COVID-19.

2. The Director of Emergency Services further finds that the City Council is not currently in session.

3. The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City's Emergency Service Director. Pursuant to the authority granted by City ordinance, I hereby proclaim that a local emergency now exists throughout the City.

4. It is further proclaimed and ordered that during the existence of said local emergency, the powers, functions and duties of the Emergency Services Director and the City's Civil Defense and Disaster organization shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency.

5. Consistent with Government Code Section 8630(b) the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council.

6. This proclamation and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

7. This proclamation of a local emergency shall take effect immediately as of the date first set forth below.

Dated: March 21, 2020

Diana Langley  
Diana Langley  
Interim Emergency Services Director

CITY OF YUBA CITY  
STAFF REPORT

**Date:** March 24, 2020  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** Diana Langley, Interim City Manager

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**Summary**

**Subject:** Emergency Suspension of Utility Penalties and Terminations

**Recommendation:** Adopt a resolution authorizing the temporary waiver of late-payment penalties and suspension of disconnections for water and sewer utilities in response to the COVID-19 pandemic.

**Fiscal Impact:** Potential minimal fiscal impact on the Utility Funds.

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**Purpose:**

To protect utility customers from undue economic hardship during the COVID-19 pandemic.

**Background:**

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency as a result of the threat of COVID-19, also known as coronavirus, in the State of California. The spread of the virus globally, including in California, resulted in the World Health Organization characterizing the viral outbreak as a pandemic on March 11, 2020.

On March 18, 2020, the Bi-County Health Officer issued a shelter-in-place directive to Sutter and Yuba Counties in response to the rapid spread of the COVID-19 virus in nearby Sacramento County, which halted all business in the City of Yuba City outside of essential activities. A local emergency has now been declared in Yuba City, and the Council is considering ratification and confirmation of the same at this special meeting.

**Analysis:**

This directive has jeopardized the economic stability of many Yuba City utility customers during this viral outbreak due to the elimination or downsizing of numerous businesses. The COVID-19 pandemic has caused, and will continue to cause, conditions of extreme economic hardship to persons within the City of Yuba City; staff recommends temporarily waiving delinquent penalties and the water shut-off process during this time in order to mitigate the negative consequences of the shelter-in-place directive and the coronavirus outbreak. The City Council can extend the waivers if it becomes necessary at a future date.

**Fiscal Impact:**

There may be minimal fiscal impact on the Utility Funds due to not collecting penalties during this time; however, there will also be cost and time savings by suspending the shut-off process.

**Alternatives:**

1. Do not authorize the suspension of penalties and terminations of utilities and continue to follow the Municipal Code. This may cause significant financial impact on utility customers as a result of the shelter-in-place directive.
2. Defer payment of all water and sewer utilities until a date established by Council. This would require additional development of a payback process and may create additional financial hardship on customers due to the accrual of multiple months of billing.
3. Develop a process to allow customers to request deferral of payment. This would require additional development of a payback process and may create additional financial hardship on customers due to the accrual of multiple months of billing.

**Recommendation:**

Adopt a resolution authorizing the temporary waiver of late-payment penalties and suspension of disconnections for water and sewer utilities in response to the COVID-19 pandemic.

**Attachments:**

- A. Resolution

**Prepared by:**

*/s/ Scarlett Harris*  
Scarlett O. Harris  
Administrative Analyst I

**Submitted by:**

*/s/ Diana Langley*  
Diana Langley  
Interim City Manager

**Reviewed by:**

Finance

\_\_\_\_\_

City Attorney

\_\_\_\_\_

**ATTACHMENT A**  
**TEMPORARY WAIVER RESOLUTION**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AUTHORIZING THE TEMPORARY WAIVER OF LATE-PAYMENT PENALTIES  
AND SUSPENSION OF DISCONNECTIONS FOR WATER AND SEWER  
UTILITIES IN RESPONSE TO THE COVID-19 PANDEMIC**

**WHEREAS**, Governor Gavin Newsom proclaimed a State of Emergency as a result of the threat of COVID-19 in the state of California on March 4, 2020; and

**WHEREAS**, on March 11, 2020, the World Health Organization characterized the COVID-19 viral outbreak as a pandemic; and

**WHEREAS**, the Bi-County Health Officer issued a shelter-in-place directive to Sutter and Yuba Counties on March 18, 2020 in response to the rapid spread of the virus in nearby Sacramento County, which limits City of Yuba City residents to only essential activities and business; and

**WHEREAS**, on March 21, 2020, the City's Director of Emergency Services declared a local emergency thereby activating the Emergency Operations Center; and

**WHEREAS**, City Council of the City of Yuba City is concurrently considering the ratification and confirmation of the declaration of a local emergency by the Emergency Services Director and proclaimed the existence of a local emergency; and

**WHEREAS**, the COVID-19 pandemic has caused, and will continue to cause, conditions of extreme economic hardship to persons within the City of Yuba City due to the temporary closure or downsizing of businesses within the City; and

**WHEREAS**, to assist the public in dealing with potential economic hardships associated with the emergency, the City Council desires to waive certain penalties on delinquent water and waste utility accounts, and suspend water and wastewater disconnections in order to mitigate the negative consequences of that hardship.

**NOW, THEREFORE**, the City Council of the City of Yuba City does resolve as follows:

1. The recitals of this Resolution are true and correct, and are incorporated herein as if set forth in full.
2. Consistent with the emergency powers per the declaration of a local emergency, the City Council does direct as follows regarding water and wastewater utilities provided by the City:
  - a. The City Manager, or designee, is authorized to waive late-payment penalties for water and wastewater customers for payments for utility services provided between March 1, 2020, through May 1, 2020.
  - b. The City Manager, or designee, is directed to suspend disconnection of water or sewer services due to a customer's failure to pay all or a part of utility services provided between March 1, 2020, through May 1, 2020.

c. These provisions shall apply to all water and sewer utility service accounts provided by the City of Yuba City, including both residential and commercial accounts. This Resolution does not apply to development impact or connection fees, which have been separately addressed by the City Council.

3. This Resolution shall take effect immediately. The City Manager is directed to disseminate the contents of this Resolution in as widespread a manner as is reasonably feasible under the conditions prevailing during this local emergency.

The foregoing resolution was adopted by the City Council of the City of Yuba City at a special meeting thereof held on the 24<sup>th</sup> day of March, 2020.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Shon Harris, Mayor

ATTEST:

\_\_\_\_\_  
Terrel Locke, Deputy City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Shannon L. Chaffin, City Attorney  
Aleshire & Wynder, LLP

# STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory diseases like COVID-19.

Avoid close contact with people who are sick.



Cover your cough or sneeze with a tissue, then throw the tissue in the trash.



Avoid touching your eyes, nose, and mouth.



Clean and disinfect frequently touched objects and surfaces.



Stay home when you are sick, except to get medical care.



Wash your hands often with soap and water for at least 20 seconds.



[cdc.gov/COVID19](https://cdc.gov/COVID19)

314915-A March 16, 2020 1:02 PM