

**MINUTES**  
**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:

  
Clara Wakefield, Deputy City Clerk

