

MINUTES
CITY COUNCIL – CITY OF YUBA CITY
REGULAR MEETING – JULY 19, 2022
6:00 P.M. COUNCIL CHAMBERS/VIRTUAL

Call to Order

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:02 PM

Roll Call

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

Absent: None

Invocation/Inspiration

Mayor Shaw

Pledge of Allegiance to the Flag

Councilmember Boomgaarden

Agenda Modifications/Approval of Agenda

- Consent items 11 & 12 (Lighting and Landscape Maintenance Districts) were voted on separately.
- Staff provided Engineering Reports for items Consent items 11 & 12 (LLMD 1 & LLMD 2-6). The website was updated hard copies were made available in the foyer.

Public Communication

1. Appearance of Interested Citizens

The following spoke:

- Piara Johl
- Dale Whitmore
- Frank Schattner
- Frank Coats

Consent Calendar

Note: Items 11 & 12 were voted on separately, due to council recusal

No public comments received for Consent Calendar items 2-10

Councilmember Espindola moved and Councilmember Harris seconded the motion for consent Items 2 - 10:

2. Minutes from July 5, 2022 meeting

Approved the minutes from July 5, 2022 meeting

3. Purchase of an AP 300 Sprayground for Gauche Aquatic Park (GAP)

Adopted **Resolution No. 22-105** adopting a CEQA Class 1 Categorical Exemption; and approving the sole-source purchase of lifefloor tiles and the manufacturing of an AP 300

Sprayground to WhiteWater West Industries Ltd. of Richmond, British Columbia in the amount of \$326,333, with the finding that it is in the best interest of the City; and authorizing the City Manager to execute an agreement with WhiteWater West Industries Ltd. of Richmond, British Columbia

4. Faith Court Subdivision (Subdivision Agreement and Final Map Approval)

Adopted **Resolution No 22-106** approving the execution of a Subdivision Agreement with Faith, LLC, a California Limited Liability Company providing for public improvements associated with the Faith Court Subdivision Map, approving the Faith Court Subdivision Final Map, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision is located south of Monroe Road and approximately 800 feet east of Royo Ranchero Drive)

5. Small Wireless Telecommunications Facilities within the City's Right-of-Way

Adopted **Ordinance No. 009-22** of the City Council of the City of Yuba City adding Chapter 8 Wireless Telecommunications Facilities in the Public Right of Way to Title 6 of the Yuba City Municipal Code by title only and waive the second reading

6. California Senate Bill 1205 Compliance Report for State-Mandated Annual Fire Inspections

Adopted **Resolution No. 22-107** acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4

7. Sam Brannan Restroom Replacement Project Award

Adopted **Resolution No. 22-108** adopting a CEQA Class 1 Categorical Exemption; awarding a construction contract to Public Restroom Company in the amount of \$234,096 through Sourcewell Contract No. 081721-PRM, with the finding that it is in the best interest of the City; and authorizing the City Manager to execute an agreement for the Sam Brannan Restroom Replacement project

8. Fire Local 3793 Side Letter

Adopted **Resolution No. 22-109** approving a Side Letter with Fire Local 3793, effective January 29, 2022, regarding sick leave and overtime calculations through December 31, 2022

9. Designation of Voting Delegates for the League of California Cities Annual Conference in September 2022

Designated Mayor Dave Shaw to serve as the Voting Delegate for the 2022 League of California Cities Annual Conference in September 2022, and designate Vice Mayor Kirchner and Councilmember Harris to serve as first and second alternates, respectively

10. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Resolution of Intent

A. Adopted **Resolution No. 22-110** Approving Engineer's Reports and Declaring Intention to Levy for Yuba City Residential Street Light Maintenance Districts, to continue the Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982

B. Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for

Fiscal Year (FY) 2022-23

The motion was passed with a unanimous vote

11. Yuba City Landscape Maintenance District No.1 (Stabler Lane/Garden Highway Area) Resolution of Intent

Mayor Boomgaarden recused himself for Item 11

No public comments received

Councilmember Espindola moved and Councilmember Harris seconded the motion to:

A. Adopted the following Resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:

- **Resolution No. 22-111** Approving the Engineer's Report, Yuba City Landscape Maintenance District No. 1
- **Resolution No. 22-112** of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1

B. Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for FY 22/23

The motion was passed with 4 votes; 1 recusal (Boomgaarden)

12. Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and 69 Subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Resolution of Intent

Councilmember Harris and Mayor Shaw recused themselves for Item 12

No public comments received

Councilmember Boomgaarden moved and Councilmember Espindola seconded the motion to:

A. Adopted the following Resolutions to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972:

- **Resolution No. 22-113** Approving Engineer's Reports, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
- **Resolution No. 22-114** of Intention to Order Improvements and Set a Public Hearing for August 16, 2022 at 6:00 PM to establish assessments for Fiscal Year (FY) 2022-23 , Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6

The motion was passed with 3 votes; 2 recusals (Harris & Shaw)

Business Items

13. Community Sponsorship Requests

Councilmember Espindola recused herself from Item 13

No public comments received

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

Consider the Sponsorship Requests from the Alliance for Hispanic Advancement and Yuba Sutter Arts & Culture, and if approved:

- A. Adopted **Resolution No. 22-115** to approve a monetary Sponsorship request from the Alliance for Hispanic Advancement (AHA) of up to \$3,750.00 to advance Hispanic heritage in our local communities through community action, educational enhancement, and economic development

The motion was passed with 4 votes; 1 recusal (Espindola)

No public comments received

Councilmember Espindola moved and Councilmember Boomgaarden seconded the motion to item B:

- B. Adopted **Resolution No. 22-116** to approve a monetary Sponsorship request from the Yuba Sutter Arts & Culture of up to \$2,500.00 for the support of a Mural Marathon and Utility Box Mini Mural event in Yuba City

The motion was passed with a unanimous vote

14. Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project – Final Design Amendment

No public comments received

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

Adopted **Resolution No. 22-117** to award Amendment No. 5 to the Professional Services Agreement with CH2M Hill Engineers, Inc. to complete Final Design activities for the Wastewater Treatment Facility Effluent Discharge Outfall Diffuser Project, including new scope of work tasks identified from the design, permitting, and easement acquisition activities, and authorize the City Manager to execute the amendment following approval as to form by the City Attorney, with the finding that it is in the best interest of the City

The motion was passed with a unanimous vote

15. 2022 Community Development Block Grant Annual Action Plan and 2021 Action Plan Amendment

Conducted Public Hearing, no public comments received

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

Adopted **Resolution No. 22-118** approving the proposed CDBG 2022 Annual Action Plan and 2021 Action Plan Substantial Amendment and authorize staff to submit the required documents to the Department of Housing and Urban Development (HUD) for processing

The motion was passed with a unanimous vote

Future Agenda Items

16. Future Agenda Items

No suggestions

Reports and Communications

17. City Manager's Report

18. 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 7:36 PM


Dave Shaw, Mayor

ATTEST:


Ciara Wakefield, Deputy City Clerk



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