

**MINUTES  
REGULAR MEETING  
CITY COUNCIL  
CITY OF YUBA CITY  
JANUARY 15, 2019  
6:00 P.M. – REGULAR MEETING**

**Regular Meeting—Council Chambers**

**Call to Order**

The Regular Meeting of the Yuba City Council was called to order by Mayor Harris at 6:00pm

**Roll Call**

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

**Invocation**

Yuba City Police Chaplain Bob Fischetti delivered the Invocation

**Pledge of Allegiance to the Flag**

Councilmember Cardoza led the Pledge of Allegiance

**Presentations and Proclamations**

**1. Kevin Cooper Oath of Office**

Police Chief Rob Landon administered the Oath of Office

**2. Proclamation for Life Saving Yuba City Emergency First Responders**

Mayor Harris presented Proclamations to: Public Safety Dispatcher II, Ashley Yetter, Fire Captain Kevin Kennedy, Fire Apparatus Operator Martin Zavala, Firefighter Logan Nelson, Bi-County Ambulance Paramedic Anthony Trowbridge, and Bi-County Ambulance Emergency Medical Technician Emily Buttron

**3. Proclamation for Mike Inamine, Sutter Butte Flood Control Agency**

A Proclamation was presented to Sutter Butte Flood Control Agency Executive Director Mike Inamine by Mayor Harris.

**Bid Opening**

**4. Sam Brannan Court Restoration and Conversion Award**

The following person spoke: Dale Eyeler – Yuba City Rotary Club

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

- A. Adopt a finding of Class 1 Categorical Exemption for the project per CEQA Guidelines Section 15301 (Existing Facilities)
- B. Accept all bids, award the bid to the lowest responsive and responsible bidder, and enter into Contract No. 18-03 Sam Brannan Court Restoration and Conversion

with Saviano Co., Inc. of San Jose, CA in the amount of their total base bid of \$220,300 with a bid alternate of \$27,000, for a total bid of \$247,300

- C. Authorize the City Manager to execute the contract on behalf of the City, in substantial compliance with the material terms and conditions presented in the attached draft agreement, subject to review and approval as to legal form by the City Attorney
- D. Authorize the Finance Director to make the following supplemental appropriations and transfers:
  - 1. Transfer CDBG Budget Appropriation from 204-6334 to project 961263-65501 in the amount of \$115,400
  - 2. Record a supplemental appropriation to project 901263-65501 in the amount of \$63,630
  - 3. Transfer Budget Appropriation of \$30,000 from project 901222 (Annual Playground Replacement) to project 901263
  - 4. Transfer Parks and Recreation Vehicle Replacement funds of \$51,630 from the Vehicle Replacement fund to project 901263

The motion was passed with a unanimous vote.

#### **Public Hearing**

- 5. **Consideration of an appeal of the Planning Commission's approval of Use Permit 17-05 and Environmental Assessment (EA) 17-10, filed on behalf of "Stop the Dump." The site is located at 140 Epley Drive (South of Lincoln Road, east of Garden Highway (A.P.N.s 54-083-014, 015, and 023).**

The following disclosures were made:

##### **Councilmember Shaw:**

Councilmember Shaw stated that he has no financial interests or other interests in this matter

He is not an officer, member, or employee of: Recology, Recycling Industries or Stop the Dump

During his campaign, he has supported requests from whatever source for extensions to allow the public to review environmental documents. He was supportive not as a member of any particular group or party, but as a business owner and private citizen

Has not predetermined this matter

Since the appeal was filled, communication has been received from the public and other parties and he received an invitation to visit Recycling Industries facilities.

He did not visit Recycling Industries facilities

##### **Councilmember Espindola:**

Councilmember Espindola stated that she met with Recycling Industries in January at the Recycling Industries facility in Yuba City. It was a fact finding meeting and a tour of the facility only.

Councilmember Cardoza:

Councilmember Cardoza stated that he went to Recycling Industries open house last summer

Councilmember Boomgaarden:

Councilmember Boomgaarden stated that he did not visit

Mayor Harris:

Mayor Harris stated that he met with the Kuhnens' several times regarding the project

He received a recent email from Recycling Industries about the project and a copy of the email was submitted to the City Clerk.

Mayor Harris opened the public hearing

The following persons spoke:

Bridget Barnes - Attorney for Stop the Dump Group

Patrick Mitchel – Attorney for Recycling Industries

Sukhit Kang – Yuba City

Kathy Hastings – Yuba City

Vincent Burns – Yuba City

Sukh Bassi – Yuba City

Heather Esterman – Yuba City

Justin Lane – Marysville

Scott Kuhn – Recycling Industries

David Kuhn – Recycling Industries

Andy Davis – Transfer Station Enforcement

Mayor Harris Closed the Public Hearing

Councilmember Cardoza moved and Councilmember Espindola seconded the motion to:

Conduct Public Hearing and after consideration:

Direct Staff to continue Item #5 to the February 5<sup>th</sup> Council meeting. Direct staff to prepare the Resolution approving the project with modifications agreed to by both parties and to return the Resolution on February 5 for Council consideration. In addition, staff is directed to work with Mayor Harris to prepare a brief but thorough and accurate press release.

The motion was passed with a unanimous vote

**Public Communication**

**6. Written Requests**

None received

**7. Appearance of Interested Citizens**

No one spoke

### **Consent Calendar**

Councilmember Cardoza moved and Councilmember Boomgaarden seconded the motion to:

**8. Minutes of December 18, 2018**

Approve the City Council Meeting Minutes of December 18, 2018

**9. Establishing a time for Regular City Council Meetings to include Closed Session items occurring before 6:00 p.m. if needed**

Adopt **Resolution No. 19-001** establishing starting times for Regular Council Meeting at 5:00 p.m., unless duly noticed, for the purpose of considering closed session matters, with all other regular, open-session business starting at 6:00 p.m.

**10. Landscape Maintenance Agreements – Carriage Square**

- A. Adopt a finding of a Class 1 Categorical Exemption for the project per CEQA Guidelines Section 15301 (Existing Facilities)
- B. Adopt **Resolution No. 19-002** authorizing the execution of a Landscape Maintenance Agreement with the State of California for the maintenance of developed property within the State of California State Route 99 highway right-of-way associated with Carriage Square, located at 1250, 1260, 1270, and 1280 Bridge Street
- C. Adopt **Resolution No. 19-003** authorizing the execution of a Landscape Maintenance Agreement with the property owner of 1250, 1260, 1270, 1280 Bridge Street, Carriage Square Partners LP, a California Limited Partnership, for the maintenance of developed property within the State of California State Route 99 highway right-of-way

The motion was passed with a unanimous vote.

### **Business from the City Council**

**11. City Council Reports**

City Manager Steve Kroeger addressed the Council and announced his resignation effective February 15, 2019.

- Councilmember Boomgaarden
- Councilmember Espindola

Councilmember Espindola expressed her interest in being involved in the Boards and Commission appointments and requested that staff explore how other City Council's appoint their board and commission members and bring back the findings to Council. Councilmembers Boomgaarden, Shaw and Cardoza were in agreement of this request.

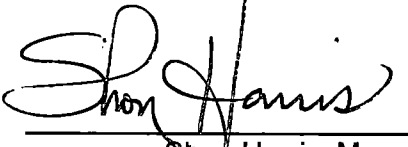
- Councilmember Shaw

Councilmember Shaw requested that a Closed Session item be placed on an Agenda before February 15 for the Council to discuss their expectations with the City Manager and City Attorney. In addition, discussion about hiring an Interim City Manager is also requested. Mayor Harris concurred with this request.

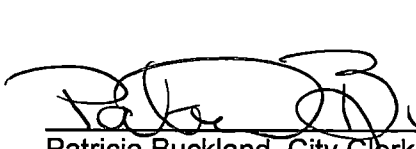
- Vice Mayor Cardoza
- Mayor Harris

**Adjournment**

Mayor Harris adjourned the Regular Meeting of the City Council at 8:50 pm in memory of Davis Police Officer Natalie Corona

  
Shon Harris, Mayor

ATTEST:

  
Patricia Buckland, City Clerk

