

**MINUTES  
REGULAR MEETING  
CITY COUNCIL  
CITY OF YUBA CITY  
MARCH 19, 2019**

**5:00 P.M. – CLOSED SESSION  
6:00 P.M. – REGULAR MEETING**

**Regular Meeting – Council Chambers**

The Regular Meeting of the City Council was called to order by Mayor Harris at 5:03 pm

**Roll Call:**

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

**Public Comment**

Mike Short of Yuba City addressed the Council

Mayor Harris adjourned to Closed Session at 5:13 pm

**Closed Session – Butte Room**

- A. Conference with Legal Counsel—Existing Litigation (Government Code, § 54956.9(d)(1))  
Name of Case(s): Stephanie Maky, Claim No. NCWA-556433/WCAB No. ADJ9849935; and  
Claim No. NCWA-556763/WCAB No. ADJ10058569
- B. Conference with Legal Counsel—Existing Litigation (Government Code, § 54956.9(d)(1))  
Name of Case(s): Robert Stoddard, Claim No. NCWA-556687/WCAB No. ADJ10992819;  
Claim No. NCWA-557596/  
WCAB No. ADJ10992824; and Claim No. NCWA-557980/WCAB No. ADJ11409585
- C. Conference with Real Property Negotiator (Government Code § 54956.8)  
Property: APN 54-010-039, 10.5 acres generally located east of Garden Highway and west of  
Levee Road, between Burns Drive and River Oaks Drive, to the south of the City's Waste  
Water Treatment Facility, Yuba City, California 95991  
Negotiator: Diana Langley, Interim City Manager  
Negotiating parties: Yuba City and the John M. Smith/The Marilee Smith Decedents Trust  
Under negotiation: Price and terms of payment.
- D. Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code, §  
54957.9(d)(1).)  
Name of case: *Joyce Jeremiah, et al. v. Sutter County, City of Yuba City* (U.S. District Court,  
Eastern District of CA, Case No. 2:18-cv-00522-TLN-KJN)
- E. Conference with Labor Negotiators (Pursuant to Government Code, § 54957.6.)  
Agency designated representatives: Diana Langley, Interim City Manager  
Employee organizations: Yuba City Police Officers; Police Sergeants; Yuba City Firefighters  
Local 3793; Yuba City Fire Management; First Level Managers; Mid Managers; Sworn Mid  
Managers; and Public Employees Local No. 1  
Unrepresented employees: Confidential Employees; Executive Services Employees
- F. Public Employee Performance Evaluation (Pursuant to Government Code §54957(b)(1).)  
Position: Interim City Manager

**Regular Meeting—Council Chambers**

### **Call to Order**

The Regular Meeting of the City Council was called back to order by Mayor Harris at 6:03 pm. City Attorney Shannon Chaffin stated that no reportable action was taken during Close Session and that the Council would resume Closed Session after the Regular Meeting.

### **Roll Call:**

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

### **Invocation**

Police Chaplain Bob Fischetti delivered the Invocation

### **Pledge of Allegiance to the Flag**

Mayor Harris led the Pledge of Allegiance

### **Presentations and Proclamations**

#### **1. Certificate of Achievement for Riley's Gymnastics Academy, Nicole Riley CEO**

Mayor Harris and the Council presented Nicole Riley and State Competition Gymnasts Mariah Hay, Sophia Martinez and Kyra Riley with Certificates of Achievement.

### **Public Hearing**

#### **2. Accept Grant Funding and Expenditure Recommendations for the California Citizens' Option for Public Safety (COPS) Grant of \$100,000**

Councilmember Cardoza moved and Councilmember Espindola seconded the motion to:

- A. Conduct a Public Hearing and after consideration;
- B. Adopt **Resolution No. 19-012** authorizing the Chief of Police to accept the FY 2018/2019 California Citizens' Option for Public Safety (COPS) funding and approve expenditure recommendations
- C. Authorize the Finance Director to make a supplemental budget appropriation for grant revenues to 100-43117 and grant expenditures to 2180-69201

The motion was passed with a unanimous vote

### **Bid Opening**

#### **3. 2019 Striping and Marking Project Award**

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

Adopt **Resolution No. 19-013** which adopts a CEQA Class 1 Categorical Exemption, awarding a construction contract to Chrisp Company and authorize the City Manager to Execute an Agreement for the 2019 Striping and Marking Project

The motion was passed with a unanimous vote

### **Public Communication**

#### **4. Written Requests**

None received

#### **5. Appearance of Interested Citizens**

The following persons spoke:  
Bob Renton – Live Oak  
Cindy Paine – Yuba City of Yuba City  
Elaine Miles – Yuba City  
Holly Stout – Yuba City  
Tony Kurlan – Yuba City

### **Consent Calendar**

Councilmember Cardoza moved and Councilmember Boomgaarden seconded the motion to:

**6. Minutes of February 26 and March 5, 2019**

Approve the City Council Meeting Minutes of February 26 and March 5, 2019

**7. Dedication of Right-of-Way to the State of California [Western Parkway North of State Route 20]**

Adopt **Resolution No. 19-014** authorizing the Mayor to execute a grant deed for fee ownership transferring title to the State of California for a portion of Western Parkway on the north side of State Route 20

**8. Memorandum of Understanding pertaining to the Yuba Sutter Regional SWAT Team**

Adopt **Resolution No. 19-015** authorizing the Mayor to execute a Memorandum of Understanding between the County of Yuba, Bi-County Ambulance and the City of Yuba City pertaining to the Yuba Sutter Regional SWAT Team

**9. Supplemental Appropriation – City Attorney**

Authorize a supplemental appropriation in the amount of \$130,000 to Account No. 1210-62701 City Attorney Professional Services from unallocated General Fund

The motion was passed with a unanimous vote.

### **General Items**

**10. Requests for Water and/or Wastewater Connections Outside of the City Limits (continued from March 5<sup>th</sup> Council Meeting)**

Establish a policy for water and/or wastewater connections outside of the City limits and direct staff to prepare the necessary documents to formalize and execute the policy

The following person spoke:  
Bob Renton – Live Oak

Councilmember Cardoza moved and Councilmember Espindola seconded the motion to:

- 4 Adopt option #4: single service connections, such as an existing single-family home with a failing well or on-site sewage system, can connect to City water and/or wastewater facilities with the execution of an extraterritorial service agreement, but a new or existing development requesting to receive City water and/or wastewater, such as a subdivision with multiple properties involved, is required to annex to the City prior to connection to City water and/or wastewater.

The motion was passed with a unanimous vote

**11. Yuba Sutter Lodging Association 2019 Annual Report**

After discussion, Council directed staff to continue this item at the June 4<sup>th</sup> Council Meeting. Councilmember Shaw requested that the Lodging Association bring back an updated budget and outreach information to the Council.

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

#### **12. Administrative Policy – Community Sponsorship Policy**

The following person spoke:

Sandee Drown – Happy Viking

Pat Miller – Sutter County Tax Payers Association

Cindy Payne – Yuba City

Councilmember Shaw moved and Councilmember Cardoza seconded the motion to:

Adopt **Resolution No.19-016** establishing an administrative policy to set guidelines for City sponsorship of community events/organizations stating that all events must have public benefit and that the Mayor and City Manager will determine the use of the tickets to the events.

The motion was passed with a unanimous vote

#### **13. Administrative Policy – Issuance of Commendations, Proclamations, and Certificates**

Councilmember Cardoza moved and Councilmember Shaw seconded the motion to:

Adopt **Resolution No. 19-017** establishing an administrative policy for Council to provide recognition through the issuance of Commendations, Proclamations, and Certificates with an amendment to include Plaques and Resolutions.

The motion was passed with a unanimous vote

#### **14. Administrative Policy – Agenda Items**

Councilmember Shaw moved and Councilmember Cardoza seconded the motion to:

Adopt **Resolution No. 19-018** establishing a process to Agendize Councilmember Requests

The motion was passed with a unanimous vote

#### **15. Boards and Commissions Appointment Process Discussion (continued from the March 5<sup>th</sup> Council meeting)**

The following persons spoke:

Tony Kurlan – Senior Commission and Personal Board

Dale Eyeler – Planning Commissioner

Councilmember Cardoza moved and Councilmember Boomgaarden seconded the motion to:

Keep the current policy for Boards and Commissions appointments and increase the Economic Development Commission from 5 to 7 members and move the Economic Development Commission meeting time to 6 pm

The motion was passed with a unanimous vote

#### **16. Citizens Committee – Unfunded Liability**

Discuss the Request for a Citizens Committee to participate on a solution for the Unfunded Liability

The following persons spoke:

Phil Treanor – Yuba City of Yuba City

Elaine Miles – Yuba City

Bob Renton – Live Oak

Pat Miller – Sutter County Tax Payers Association

**17. City Council Reports**

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

**Adjournment**

Mayor Harris adjourned the Regular Meeting of the City Council at 10:10 pm

**Closed Session**

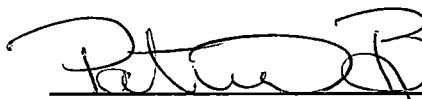
Closed Session resumed in the Butte Room

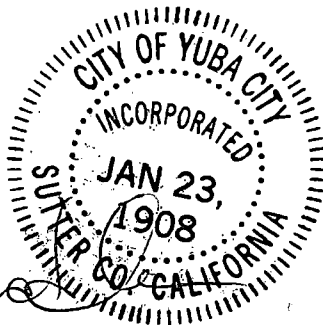
Closed Session was adjourned at 11:51 pm


**Adjournment**

No reportable action was taken during Closed Session and Mayor Harris adjourned the Regular Meeting at 11:52 pm

ATTEST:

  
Patricia Buckland, City Clerk



  
Shon Harris, Mayor

