



AGENDA

DECEMBER 6, 2022

REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

6:00 P.M. REGULAR MEETING COUNCIL CHAMBERS/VIRTUAL

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

**1201 Civic Center Blvd
Yuba City CA 95993**

Wheelchair Accessible



*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***

**AGENDA
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
DECEMBER 6, 2022
6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL**

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net, subject to staff's availability to post the documents before the meeting.

The Council Chambers will be open for public attendance and participation. The meeting will also be live streamed for public viewing, but not participation, at the following link:https://us06web.zoom.us/webinar/register/WN_nWTNsx3eQQq7mK9t2c8XBg. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council prior to the meeting. Please identify the Agenda item(s) addressed by the comments.

Regular Meeting

Call to Order

Roll Call

- ☐ Mayor Shaw
- ☐ Vice Mayor Kirchner
- ☐ Councilmember Boomgaarden
- ☐ Councilmember Espindola
- ☐ Councilmember Harris

Invocation/Inspiration

Posting of the Colors

Pledge of Allegiance to the Flag

Agenda Modifications/Approval of Agenda

Public Communication

1. Appearance of Interested Citizens

You are welcome and encouraged to participate in this meeting. Public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda will be considered at this time. Public comment is limited to three minutes per speaker. Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted five minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select

representatives to express the opinions of the group.

Business from the City Council

Presentation to Outgoing Councilmember Espindola

Comments and Presentation to Outgoing Mayor Shaw

Election Results

4. Declaration of Election Results

Recommendation: Adopt a Resolution declaring the results of the November 8, 2022 General Municipal Election

Administer Oaths of Office

- Council-elect Marc Boomgaarden
- Council-elect Michael Pasquale
- Council-elect Dave Shaw

Further Business from the City Council

6. Comments from New Councilmembers

- Councilmember Boomgaarden
- Councilmember Pasquale
- Councilmember Shaw

Election of New Mayor and Vice Mayor

Comments from new Vice Mayor

Comments from new Mayor

Adjournment

CITY OF YUBA CITY

Public Communication

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

You are welcome and encouraged to participate in this meeting. Complete a Speaker Card located in the lobby and give to the Clerk, public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda, will be considered at this time.

When a matter is announced, wait to be recognized by the Mayor to provide your comments to the Council. Comments should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

Request for additional time to address Council

Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted 5 minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Procedure

When requesting to comment, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:
Jackie Sillman, City Clerk
cityclerk@yubacity.net

CITY OF YUBA CITY
STAFF REPORT

Date: December 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By:

Summary

Subject: Presentation to Outgoing Councilmember Espindola
Recommendation:
Fiscal Impact:

Attachments:

None

Prepared By:

Name
Title

Submitted By:

Name
Title

CITY OF YUBA CITY
STAFF REPORT

Date: December 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By:

Summary

Subject: Comments and Presentation to Outgoing Mayor Shaw
Recommendation:
Fiscal Impact:

Attachments:

None

Prepared By:

Name
Title

Submitted By:

Name
Title

CITY OF YUBA CITY
STAFF REPORT

Date: December 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Declaration of Election Results
Recommendation: Adopt a Resolution declaring the results of the November 8, 2022 General Municipal Election
Fiscal Impact: None

The California Election Code, Section 10262(b), requires that the City Council declare elected the persons for whom the highest numbers of votes were cast for each office. General Municipal Elections were held on November 8, 2022 for three seats on the City Council and a measure to change the elected positions of City Clerk and City Treasurer to appointed positions (Measure Z).

It is recommended that the City Council declare elected the following:

City Council District		Vote	%
1	Dave Shaw	1,781	64%
2	Marc Boomgaarden	2,490	47.95%
3	Mike Pasquale	996	52.61%

The results of Measure Z are as follows:

Measure Z	Vote Count	%
No	11,020	65.96%
Yes	5,688	34.04%
Total	16,708	

This recommendation is based on certified election results from the Sutter County Clerk.

Recommendation:

Adopt a Resolution accepting the official certified results of the November 8, 2022 General Municipal Election.

Attachments:

1. Election Results - Resolution 12.06.22
2. EXHIBIT A
3. Exhibit B - Final Election Summary

Prepared By:

Ciara Wakefield
City Clerk Administrator

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

DRAFT

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACCEPTING THE SUTTER COUNTY REGISTRAR RECORDER/COUNTY CLERK'S
OFFICIAL CANVASS AND OFFICIAL STATEMENT OF VOTES CAST FOR THE
CONSOLIDATED MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2022, AND
DECLARING THE RESULTS THEREOF**

WHEREAS, a Statewide General Election and City Municipal Election were held and conducted in the City of Yuba City on Tuesday, November 8, 2022 as required by law; and

WHEREAS, in all respects the election was held and conducted as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Sutter County Registrar Recorder/County Clerk canvassed the returns of the election and certified the results to the City Council, and those results are received, attached, and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The vote totals for the Consolidated Municipal Election held on November 8, 2022 in the City of Yuba City, as certified by Sutter County are as follows: The whole number of ballots cast in all districts including vote by mail were 28,521. The total number of ballots cast in the City of Yuba City Council District 1 contest were 2,746. The total number of ballots cast in the City of Yuba City Council District 2 contest were 5,193. The total number of ballots cast in the City of Yuba City Council District 3 contest were 1,893. The total number of ballots cast for Measure Z were 16,708.

SECTION 2. The City Council does declare and determine that:

- (a) The names of persons voted for at the election for Member of the City Council District 1 are as follows:
Dave Shaw (1,781 votes received)
Brendon Messina (965 votes received)
- (b) The names of persons voted for at the election for Member of the City Council District 2 are as follows:
Marc Boomgaarden (2,490 votes received)
Sukh Sidhu (1,385 votes received)
Chuck Smith (1,318 votes received)
- (c) The names of persons voted for at the election for Member of the City Council District 3 are as follows:
Mike Pasquale (996 votes received)

Grace Espindola (897 votes received)

- (d) Measure Z
No (11,020 votes received)
Yes (5,688 votes received)

SECTION 3. That the number of votes given at each precinct to each person and the number of votes given in the City to each person for the respective offices are listed on Exhibit "A", attached.

SECTION 4. The City Council does declare and determine that:

- (a) Dave Shaw was elected as City Councilmember – District 1 for the full term of four years.
- (b) Marc Boomgaarden was elected as City Councilmember – District 2 for the full term of four years.
- (c) Mike Pasquale was elected as City Councilmember – District 3 for the full term of four years.
- (d) Measure Z did not pass. The City Clerk and Treasurer will remain elected positions.

SECTION 5. The Deputy City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election, administer the Oath of Office, and shall have each person subscribe to it and file it in the office of the City Clerk. All of the persons so elected shall then be inducted into the office to which they have been elected.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a Regular meeting thereof held on the 6th day of December 2022.

AYES:

NOES:

ABSENT:

Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

Attachments:

- Exhibit A – Canvass of the November 8, 2022 Consolidated Municipal Election
- Exhibit B – Final Election Summary – Sutter County

DRAFT

EXHIBIT A

****PENDING RECEIPT OF CERTIFIED ELECTION
RESULTS FROM SUTTER COUNTY****

**CANVASS OF THE NOVEMBER 8, 2022 ELECTION
TO BE MADE AVAILABLE AT 12/6/2022 MEETING**

EXHIBIT B

Sutter
Sutter 2022 General
November 8, 2022
Official Results

	Registered Voters	Turnout
Total Registration and Turnout	52,894	28,521
Election Day		1,533
VBM		26,988

Governor		
(24 of 24 precincts reported)		
BRIAN DAHLE	19,024	67.69%
GAVIN NEWSOM	9,082	32.31%
Total	28,106	

Lieutenant Governor		
(24 of 24 precincts reported)		
ANGELA E. UNDERWOOD JACOBS	18,314	66.12%
ELENI KOUNALAKIS	9,386	33.88%
Total	27,700	

Secretary of State		
(24 of 24 precincts reported)		
ROB BERNOSKY	18,032	65.28%
SHIRLEY N. WEBER	9,591	34.72%
Total	27,623	

Controller		
(24 of 24 precincts reported)		
LANHEE J. CHEN	18,637	67.50%
MALIA M. COHEN	8,974	32.50%
Total	27,611	

Treasurer		
(24 of 24 precincts reported)		
JACK M. GUERRERO	18,152	65.85%
FIONA MA	9,414	34.15%
Total	27,566	

Attorney General		
(24 of 24 precincts reported)		
NATHAN HOCHMAN	18,155	65.71%
ROB BONTA	9,474	34.29%
Total	27,629	

Insurance Commissioner		
(24 of 24 precincts reported)		
ROBERT HOWELL	17,806	64.87%
RICARDO LARA	9,644	35.13%
Total	27,450	

Board of Equalization Member District 1		
(24 of 24 precincts reported)		
TED GAINES	18,792	68.55%
JOSE S. ALTAMIRANO	8,621	31.45%
Total	27,413	

United States Senator (Full Term)		
(24 of 24 precincts reported)		
MARK P. MEUSER	17,827	64.53%
ALEX PADILLA	9,797	35.47%
Total	27,624	

United States Senator (Partial/Unexpired Term)		
(24 of 24 precincts reported)		
MARK P. MEUSER	17,798	64.61%
ALEX PADILLA	9,748	35.39%
Total	27,546	

United States Representative District 1		
(24 of 24 precincts reported)		
DOUG LAMALFA	18,421	66.38%
MAX STEINER	9,328	33.62%
Total	27,749	

State Assembly Member District 3		
(24 of 24 precincts reported)		
JAMES GALLAGHER	19,720	70.97%
DAVID LEON ZINK	8,067	29.03%
Total	27,787	

Chief Justice Of California (Patricia Guerrero)		
(24 of 24 precincts reported)		
YES	12,834	54.58%
NO	10,678	45.42%
Total	23,512	

Associate Justice Of The Supreme Court (Goodwin Liu)		
(24 of 24 precincts reported)		
YES	12,323	52.94%
NO	10,953	47.06%
Total	23,276	

Associate Justice Of The Supreme Court (Martin J. Jenkins)		
(24 of 24 precincts reported)		
YES	12,224	53.22%
NO	10,745	46.78%
Total	22,969	

Sutter
Sutter 2022 General
November 8, 2022
Official Results

Associate Justice Of The Supreme Court (Joshua P. Groban)

(24 of 24 precincts reported)		
YES	11,822	52.04%
NO	10,897	47.96%
Total	22,719	

Associate Justice, Court of Appeal, Third District (Stacy Boulware Eurie)

(24 of 24 precincts reported)		
Yes	12,627	55.85%
No	9,982	44.15%
Total	22,609	

Associate Justice, Court of Appeal, Third District (Laurie M. Earl)

(24 of 24 precincts reported)		
YES	11,774	52.14%
NO	10,807	47.86%
Total	22,581	

Associate Justice, Court of Appeal, Third District (Harry Hull)

(24 of 24 precincts reported)		
YES	13,934	61.83%
NO	8,601	38.17%
Total	22,535	

Associate Justice, Court of Appeal, Third District (Peter Krause)

(24 of 24 precincts reported)		
YES	11,961	53.26%
NO	10,498	46.74%
Total	22,459	

Superintendent of Public Instruction

(24 of 24 precincts reported)		
LANCE RAY CHRISTENSEN	12,468	52.49%
TONY K. THURMOND	11,285	47.51%
Total	23,753	

Mbr Bd Of Education Trustee Area No 3

(7 of 7 precincts reported)		
KASH GILL	4,631	67.16%
BRANDON MOON	2,264	32.84%
Total	6,895	

Mbr Bd Of Education Trustee Area No 4

(4 of 4 precincts reported)		
HARJIT SINGH	2,898	54.12%
JIM RICHMOND	2,457	45.88%
Total	5,355	

Yuba College Gov Bd Member Trustee Area No 3

(15 of 15 precincts reported)		
ERIC POMEROY	6,687	58.78%
RITA ANDREWS	4,690	41.22%
Total	11,377	

Yuba College Gov Bd Member Trustee Area No 7 Short Term

(1 of 1 precincts reported)		
DOUGLAS M HARRIS	9	56.25%
JEFFREY DRYDEN	7	43.75%
Total	16	

LOUSD Govn Bd Member

Vote For 2		
(2 of 2 precincts reported)		
CLAY GOODMAN	1,520	41.38%
ROGER D CHRISTIANSON	1,368	37.24%
MITCHELL PERIGO	785	21.37%
Total	3,673	

YCUSD Govn Bd Member Trustee Area No 1

(6 of 6 precincts reported)		
LONDA LAMB	2,537	62.43%
SARB TAKHAR	1,527	37.57%
Total	4,064	

YCUSD Govn Bd Member Trustee Area No 2

(4 of 4 precincts reported)		
KJERSTIN CIOCIOLA	1,599	58.68%
LINDA MERKLIN	1,126	41.32%
Total	2,725	

YCUSD Gov BD Member Trustee Area No 4

(3 of 3 precincts reported)		
HARJOT KAUR	1,615	55.16%
ZAC REPKA	1,313	44.84%
Total	2,928	

Sutter
Sutter 2022 General
November 8, 2022
Official Results

YCUSD Gov Bd Member Trustee Area No 5

(3 of 3 precincts reported)		
GREG QUILTY	744	50.47%
SHARI K TUCKER	730	49.53%
Total	1,474	

Gov Bd Mbr E Nicolaus Joint Union

Vote For 2		
(2 of 2 precincts reported)		
TOMMY HINTZ	445	29.99%
ERIN VAN DYKE	408	27.49%
TYSON EARHART	386	26.01%
ORRIN TUROLD	245	16.51%
Total	1,484	

Gov Bd Mbr Sutter Union High School

Vote For 3		
(8 of 8 precincts reported)		
LARRY MUNGER	2,019	33.55%
ALLEN JAYNES	1,467	24.38%
CARL PRATT	1,267	21.05%
JILL WILHELM	1,265	21.02%
Total	6,018	

Gov Brd Member Brittan School Dist

Vote For 3		
(4 of 4 precincts reported)		
BRANDON MCREYNOLDS	821	30.42%
HEATHER BARNES	721	26.71%
ERICH RUNGE	611	22.64%
CHRISTOPHER HARP	546	20.23%
Total	2,699	

Gov Bd Mbr Franklin School District

Vote For 3		
(3 of 3 precincts reported)		
KYLE O'NEAL	584	28.88%
GLENN HOUSTON	565	27.94%
AARON MURPHY	538	26.61%
CIARA WAKEFIELD	335	16.57%
Total	2,022	

Gov Bd Mbr Marcum Illinois School

Vote For 2		
(2 of 2 precincts reported)		
EMILY DADDOW	198	47.83%
KEITH TURNER	122	29.47%
TIFFANY STEELE	94	22.71%
Total	414	

Gov Bd Mbr Nuestro School District

Vote For 2		
(2 of 2 precincts reported)		
BETHANY SCHMIDL	128	44.91%
EMILY MORTON	103	36.14%
DEBBIE EVERETT	54	18.95%
Total	285	

Mbr City Council Live Oak

Vote For 3		
(1 of 1 precincts reported)		
ASHLEY HERNANDEZ	819	16.91%
BOB WOTEN	767	15.83%
JERAMY CHAPDELAINE	757	15.63%
CRUZ MORA	696	14.37%
J.R. THIARA	690	14.24%
ALEKS TICA	572	11.81%
NOEL GROVE	543	11.21%
Total	4,844	

Mbr City Council Yuba City D1

(3 of 3 precincts reported)		
DAVE SHAW	1,781	64.86%
BRENDON MESSINA	965	35.14%
Total	2,746	

Mbr City Council Yuba City D2

(4 of 4 precincts reported)		
MARC BOOMGAARDEN	2,490	47.95%
SUKH SIDHU	1,385	26.67%
CHUCK SMITH	1,318	25.38%
Total	5,193	

Mbr City Council Yuba City D3

(4 of 4 precincts reported)		
MIKE PASQUALE	996	52.61%
GRACE ESPINDOLA	897	47.39%
Total	1,893	

Proposition 1

(24 of 24 precincts reported)		
No	13,685	50.65%
Yes	13,334	49.35%
Total	27,019	

Sutter
Sutter 2022 General
November 8, 2022
Official Results

Proposition 26

(24 of 24 precincts reported)		
No	19,577	71.91%
Yes	7,646	28.09%
Total	27,223	

MEASURE Z CITY CLERK

(14 of 14 precincts reported)		
No	10,987	65.84%
Yes	5,700	34.16%
Total	16,687	

Proposition 27

(24 of 24 precincts reported)		
No	22,593	82.45%
Yes	4,809	17.55%
Total	27,402	

Proposition 28

(24 of 24 precincts reported)		
Yes	14,184	52.14%
No	13,021	47.86%
Total	27,205	

Proposition 29

(24 of 24 precincts reported)		
No	21,137	77.63%
Yes	6,090	22.37%
Total	27,227	

Proposition 30

(24 of 24 precincts reported)		
No	19,400	71.05%
Yes	7,904	28.95%
Total	27,304	

Proposition 31

(24 of 24 precincts reported)		
No	13,856	50.76%
Yes	13,441	49.24%
Total	27,297	

Sutter County Essential Services Measure Measure A

(24 of 24 precincts reported)		
No	14,027	51.61%
Yes	13,152	48.39%
Total	27,179	

MEASURE Z CITY TREASURER

(14 of 14 precincts reported)		
No	11,020	65.96%
Yes	5,688	34.04%
Total	16,708	

CITY OF YUBA CITY
STAFF REPORT

Date: December 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By:

Summary

Subject: Administer Oaths of Office
- Council-elect Marc Boomgaarden
- Council-elect Michael Pasquale
- Council-elect Dave Shaw

Recommendation:

Fiscal Impact:

Attachments:

None

Prepared By:

Name
Title

Submitted By:

Name
Title