



AGENDA

MARCH 7, 2023

**REGULAR MEETING
CITY COUNCIL
CITY OF YUBA CITY**

**5:00 P.M. CLOSED SESSION
SUTTER ROOM/VIRTUAL**

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

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

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

Wheelchair Accessible

*The City has adopted a Reasonable Accommodations Policy that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. Please visit [yubacity.net ADA & Accessibility Resources page](http://yubacity.net/ADA&AccessibilityResources). 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 help. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation; 72 hours in advance is suggested. Please contact City offices at (530) 822-4817 or **(TTY: 530-822-4732)**, so such aids or services can be arranged. Requests may also be made by email at cityclerk@yubacity.net or citymanager@yubacity.net or mail City Clerk, 1201 Civic Center Blvd, Yuba City, CA 95993.*

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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_OrUvl2ZPR2KAArNFTonTTw. 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.

Public Comment:

Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council in the Council Chamber prior to the City Council convening into closed session. Comments from the public will be limited to three minutes. No member of the public will be allowed to be present once the City Council convenes into closed session.

Closed Session

A. Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(d)(1)) Name of Case: *Gregory Gross v. City of Yuba City et al.*, Yuba County Superior Ct. Case No. CVCS22-0000016

Regular Meeting

Call to Order

Roll Call

- ☐ Mayor Kirchner
- ☐ Vice Mayor Harris
- ☐ Councilmember Boomgaarden
- ☐ Councilmember Pasquale

___ Councilmember Shaw

Invocation/Inspiration

Pledge of Allegiance to the Flag

City Attorney's Report on Closed Session Items, City Attorney Shannon Chaffin

Agenda Modifications/Approval of Agenda

Ceremonial Presentations

- 1. Cheri Stephens from Stephens Farmhouse, Retirement Proclamation**
- 2. Marni Sanders Chamber of Commerce Proclamation**
- 3. RACE Communications Presentation**

Public Communication

4. 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.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council request specific items to be discussed or removed from the Consent Calendar for individual action.

5. Approve minutes of the February 21, 2023 meeting

Recommendation: Approve the February 21, 2023 minutes

6. Information Security Administrator Salary Schedule

Recommendation: Adopt a Resolution authorizing the Finance Director to amend the salary schedule for the Information Security Administrator classification and to set appropriate compensation

7. Environmental Compliance Truck

Recommendation: A. Approve a vehicle capital acquisition for the Environmental Compliance Division of the Public Works Department of a Ford F-150 Extended Cab Truck or equivalent

B. Authorize a supplemental appropriation and related transfers in the amount of \$3,800 from unallocated wastewater funds (Fund 518) to Account No. 6610-69410 (Vehicle Replacement Fund)

8. Quality Assurance Officer Salary Schedule

Recommendation: A. Adopt a Resolution authorizing the Finance Director to amend the salary schedule to establish the Quality Assurance Officer classification within the Public Works Department and approving a side letter with Public Employees' Union, Local 1/AFSCME 57

B. Authorize the Finance Director to make budget adjustments as necessary

9. Cooper Market Liquor Department of Alcoholic Beverage Control (ABC) Premise-To-Premise Transfer Application

Recommendation: Adopt a Resolution making a finding of public convenience or necessity for the premise-to-premise transfer of a Type 21 (Off-Sale General) Alcoholic Beverage Control (ABC) License at 759 Reeves Avenue (Cooper Market Liquor)

10. Authorization to submit a California Energy Commission Solar automated permit processing grant application to implement the provisions of Senate Bill 379

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City authorizing the Public Works and Development Services Director, or designee, to submit and administer a California Energy Commission solar automated permit processing program grant on behalf of the City

11. Receive the 2022 Housing Element Annual Progress Report and authorize its submission to the State Department of Housing and Community Development and the Governor's Office of Planning and Research

Recommendation: A. Receive the 2022 Housing Element Annual Progress Report; and

B. Direct staff to file the report for calendar year 2022 with the State Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR)

12. Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 (Spirit Drive Parcel Map)

Recommendation: Adopt a Resolution which makes the following actions:

A. Initiates proceedings to order the annexation of the parcel associated with the Spirit Drive Parcel Map, APN 63-010-141, into existing Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 and orders the Engineer of Work to file a report with regard to Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1

B. Set a Public Hearing for March 21, 2022 at 6:00 PM to order the annexation of the parcel associated with the Spirit Drive Parcel Map, APN 63-010-141, into existing Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 and establishing a levy of assessments for the annexed territory

Business Items

13. Abandoned Railroad Corridor Feasibility Study (Adoption) (Continued from February 21, 2023)

Recommendation: Adopt a Resolution which adopts the Abandoned Railroad Corridor Feasibility Study

14. Professional Services Agreement with Smart Marketing & Public Affairs for

Revenue Measure Consulting Services (Continued from February 21, 2023)

Recommendation: Adopt a Resolution awarding a Professional Services Agreement to Smart Marketing & Public Affairs of Yuba City, CA, for Revenue Measure Consulting Services in an amount not to exceed \$135,000 for base consulting fees plus \$40,000 for other hard project costs for a total not to exceed \$175,000, subject to immaterial modifications by the City Manager upon approval of the City Attorney as to legal form, with the finding that it is in the best interest of the City, and approve a supplemental appropriation of \$75,000 from one-time federal American Rescue Plan Act funds to Account No. 1305-62701 (City Manager Budget - Professional Services)

Future Agenda Items

15. Future Agenda Items

- Councilmember Pasquale
- Councilmember Boomgaarden
- Councilmember Shaw
- Vice Mayor Harris
- Mayor Kirchner

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

16. City Manager's Report

17. City Council Reports

Adjournment