



AGENDA

MAY 16, 2023

REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

**5:30 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_VuRYNFYLR0ShcfPxfFcKHA. 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. Confer with Real Property Negotiator (Government Code § 54956.8)
Property: Public Utility Easement on APN 23-180-005 & 23-180-006 located on the east side of Garden Highway at the terminus of Oswald Road, 4107 Garden Highway, Yuba City, California 95991
Negotiator: Diana Langley, City Manager
Negotiating parties: Yoshimi Yokohari
Under negotiation: Price and terms of payment

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. **Police Officer of the Year - Scott Rounds Proclamation**
2. **National Police Week Proclamation**
3. **National Public Works Week Proclamation**
4. **Purple Heart Trail Proclamation**

Public Communication

5. 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.

6. Minutes of the May 2, 3, and 4, 2023 meetings

Recommendation: Approve the minutes of May 2, 3, and 4, 2023 meetings

7. Yuba City Police Officers' Association, Police First Level Managers, and First Level Managers Side Letters

Recommendation: Adopt a Resolution:

- A. Approving a side letter with the Police Officers' Association
- B. Approving a side letter with the Police First Level Managers
- C. Approving a side letter with the First Level Managers

8. Recology Biosolids Budget Adjustments

Recommendation: Authorize the Finance Director to make a supplemental

appropriation and related transfers in the amount of \$200,000 from Wastewater Treatment Facility salary and benefits funds to Account No. 8120-62759 (Specialty Contract Services) for the remaining wastewater biosolids hauling for Fiscal Year 22/23

9. ADA Ramp and Sidewalk Improvements Project (Plans & Specifications)

Recommendation: Adopt a Resolution approving the Plans and Specifications for the ADA Ramp and Sidewalk Improvements Project, and authorizing advertisement for bids on the project

10. Housing Element GPA/Rezone Project

Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City approving Rezone 22-04 for the Implementing Policies of the 2021-2029 Housing Element project for approximately 68.54 acres, which includes an X29 Combining District on 14.95 acres, located throughout the City (Assessor's Parcel Number 59-020-017, 59-020-015, 59-530-034, 59-020-018, 59-020-016, 51-393-003, 51-393-002, 57-150-078, 57-150-004, 57-150-050, 58-120-001, 57-220-065, 53-470-088, 53-470-079, 53-470-083, 53-470-087, 53-470-076, 53-470-085, 53-470-078, 53-470-077, 53-470-081, 53-470-086, 53-470-095, 53-470-082, 53-470-092, 53-470-080, 53-470-090, 53-470-096, 53-470-089, 53-470-093, 53-470-084, 53-470-094, 53-470-098, and 53-470-097), by title only and waive the second reading

11. Sewer System Management Plan Update Adoption

Recommendation: Adopt a Resolution adopting the City of Yuba City Sewer System Management Plan Update subject to minor editorial modifications

12. Letters in Support for H.R. 1586 and S. 796 - Forest Protection and Wildland Firefighter Safety Act of 2023

Recommendation: Submit letters of support for H.R. 1586 and S. 796 - Forest Protection and Wildland Firefighter Safety Act of 2023

13. Presentation of Investment Report – Quarter Ended March 31, 2023

Recommendation: Note & File Quarterly Investment Report

14. Plumas Street Improvements - Water Tower Abatement

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City awarding a standard agreement to JM Environmental, Inc., in the amount of \$175,829 for the abatement services on the Plumas Street water tower, and adopt a CEQA Class 1 Exemption (Existing Facilities) for the project

Business Items

15. Introduce an Ordinance regulating Trespassing on Private Property and Public Nudity

Recommendation: A. Hold a Public Hearing; then

B. Introduce an Ordinance of the City Council of Yuba City regulating trespassing and public nudity by amending Title 5 (Public Welfare, Morals, and Conduct) of the City of Yuba City Municipal Code by adding Chapter 25, sections 5-25.010 through 5-25.030 (Trespass on Private Property) and Chapter 26,

sections 5-26.010 through 5-26.040 (Public Nudity Prohibited), by title only and waive the first reading

16. Montna Bocce Ball Courts (Plans and Specifications)

Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption, approving the plans and specifications and authorizing advertisement for bids for the Montna Bocce Ball Courts Project

Future Agenda Items

17. Future Agenda Items

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

18. City Manager's Report

19. City Council Reports

Adjournment