



AGENDA

JUNE 6, 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_dNs1aekwRRWUZr1OKrNIFA. 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 Labor Negotiators (Pursuant to Government Code, Section 54957.6.)
Agency designated representatives: Diana Langley, City Manager, Natalie Springer, Human Resources Director, Brad McIntire, Community Services Director, Spencer Morrison, Finance Director, Ben Moody, Public Works and Development Services Director, Brian Baker, Police Chief, Jesse Alexander, Fire Chief, Michael Jarvis, LCS
Employee organizations: Yuba City Police Officers; Police Sergeants; Yuba City Firefighters Local 3793; Yuba City Fire Management; First Level Managers, Mid Managers, Police Sworn Mid Managers; and Public Employees Local No. 1
Unrepresented employees: Confidential Employees, Executive Services Employees

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. Grateful Nation Remembers Proclamation**
- 2. Officer Mike Stout Retirement Proclamation**
- 3. Yuba Sutter Transit Executive Director Retirement, Keith Martin - Proclamation**
- 4. Regional Waste Management Authority New Executive Director, Scott Scholz**

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 16 and 23, 2023 meetings

Recommendation: Approve the minutes of the May 16 and 23, 2023 meetings

7. Wastewater Treatment Facility Lift Station 2 Rehabilitation Project

Recommendation: Adopt a Resolution with the following actions:

- A. Award a construction contract to W. M. Lyles Co., of Fresno, CA in the amount of their total bid of \$347,600.00 and authorize the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal form by the City Attorney
- B. Award a Professional Services Agreement to Inferrera Construction Management Group, Inc. of Shingle Springs,

CA for Construction Management and Inspection Services in the amount of \$39,500.00 and authorize the City Manager to execute the contract on behalf of the City, subject to material terms, subject to review and approval as to legal from by the City Attorney, and with the finding that it is in the best interest of the City

8. Wastewater Treatment Facility RAS/WAS Pumps Replacement Project

Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption, approving the plans and specifications for the WWTF RAS/WAS Pumps Replacement Project and authorizing advertisement for bids on the project

9. Wastewater Treatment Facility Polymer Budget Adjustment

Recommendation: A. Adopt a Resolution awarding the purchase of bulk polymer for the Wastewater Treatment Facility to Polydyne, Inc. of Riceboro, GA in the amount of an estimated additional \$80,000, for a total fiscal year award of \$580,000, with the finding that it is in the best interest of the City

B. Authorize the Finance Director to make a supplemental appropriation and related transfers in the amount of \$50,000 from Account No. 8120-62701 (WWTF Professional Services) to Account No. 8120-63733 (WWTF Polymers) for the remaining polymer purchases for Fiscal Year 22/23

10. Designation of City's Agents for Signing Disaster Recovery Applications

Recommendation: Adopt a Resolution authorizing City representatives to sign CalOES documents in the process of obtaining state and federal disaster assistance through claims and grants

11. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Annual Levy Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report with regard to Yuba City Landscape Maintenance District No. 1, to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972

12. Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and Various Subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports with regard to Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6, to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972

13. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report with regard to Yuba City Residential Street Light Maintenance Districts, to continue the

Residential Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982

14. AB 481 Annual Military Equipment Report

Recommendation: Adopt a Resolution that allows YCPD the continued use of military equipment outlined in YCPD Policy 707, reviews the City's Military Equipment ordinance, and accepts the annual reporting of the equipment

15. Organized Retail Theft Program Grant Application

Recommendation: Adopt a Resolution for the Organized Retail Theft Grant application designating and authorizing the Chief of Police to:

A. Sign, submit, and file an application for the grant agreement with the State of California Board of State and Community Corrections to purchase and utilize equipment to deter and prevent organized retail theft and motor vehicle theft

B. Provide assurances, certifications, and commitment required for the financial assistance application, including executing all documents in furtherance thereof, including but not limited to a grant or cooperative agreement and any amendments or changes thereto

C. Represent the City in carrying out the City's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the city and compliance with applicable state and federal laws

16. Adopt an Ordinance regulating Trespassing on Private Property and Public Nudity

Recommendation: Adopt 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 second reading

Business Items

17. FY 23-24 Chemical Bid Award and Sole Source Agreement

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City:

- A. Awarding bulk chemical contracts to Bay Area Chemical Consortium awardees;
- B. Awarding Formal Bid 23-02 to Atlas Carbon, LLC, and Matheson Tri-Gas, Inc.;
- C. Authorizing a sole source agreement with Lhoist North America of Arizona, Inc.; and
- D. Authorizing the City Manager to amend any current agreements with the awardees to adjust unit prices as approved, etc

18. SB 1 Road Maintenance and Rehabilitation Account Project List 2023-24

Recommendation: Adopt a Resolution adopting a list of projects for Fiscal Year 2023-24 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017

19. Adoption of the City of Yuba City's Fiscal Year 2023-2024 Operating and Capital Budgets and Fiscal Year 2023-2024 Appropriations Limit

Recommendation:

- A. Adopt a Resolution approving the proposed Fiscal Year 2023-2024 Operating Budget
- B. Adopt a Resolution approving the Fiscal Year 2023-2024 Capital Improvement Program. Project Summaries by Funding Source are attached to the Resolution
- C. Adopt a Resolution approving the City's Appropriations Limit for Fiscal Year 2023-2024

20. Citywide Governance Resolution

Recommendation: Adopt a Resolution approving and establishing a Citywide Governance policy for elected officials

Future Agenda Items

21. 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

22. City Manager's Report

23. City Council Reports

Adjournment