



AGENDA

JULY 18, 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_2FObWylzS0eDqm9EI-CO-g. 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: Derek Sweet, Claim number: 4A22010F6M7-0001
- B. Conference with Legal Counsel – Pending Litigation per Government Code Section 54956.9(d)(4);
(One case)

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. **Retirement Proclamation for Sgt Dennis Hauck**
2. **July is Parks and Recreation Month, Proclamation**

Public Communication

3. 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.

4. **Minutes from the June 20th and 29th, 2023 meeting**
Recommendation: Approve the June 20th and 29th, 2023 meeting minutes
5. **Planned Development 18 (PD 18) Zoning District associated with Tentative Subdivision Map (TSM) 23-01, West Walton Village**
Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City approving Environmental Assessment (EA) 23-02 by adopting a Mitigated Negative Declaration prepared for Planned Development (PD) 18 and SM 23-01 and rezoning Assessor's Parcel 58-020-001 to add Planned Development (PD) 18 located on the west side of Walton Avenue approximately 670 feet north of Franklin Road; Assessor's Parcel Number (APN) 58-020-001, and waive the second reading
6. **Designation of Voting Delegates for the League of California Cities Annual Conference in September 2023**
Recommendation: Designate Mayor Wade Kirchner to serve as the Voting Delegate for the 2023 League of California Cities Annual Conference in September 2023, and designate Vice Mayor Shon Harris to serve as an alternate

7. **SACOG Fund Exchange Agreement (Authorization to execute)**
Recommendation: Adopt a Resolution authorizing the City Manager to execute a Fund Exchange Agreement with the Sacramento Area Council of Governments agreeing to have federal funds be de-programmed from the Bridge Street Reconstruction Development Phase project and re-programmed to the Walton Avenue Complete Streets project
8. **Anneka Sewer Replacement Project (Plans and Specifications)**
Recommendation: Adopt a Resolution adopting a CEQA Class 1 Categorical Exemption, approving the plans and specifications for the Anneka Sewer Replacement Project and authorizing advertisement for bids on the project
9. **ADA Ramp and Sidewalk Improvements Project (Award Construction Contract)**
Recommendation: Adopt a Resolution awarding a construction contract to FBD Vanguard Construction, Inc. of Livermore, CA in the amount of their total base bid plus bid alternative of \$347,536.00 for the ADA Ramp and Sidewalk Improvements Project
10. **Wastewater Treatment Facility RAS & WAS Pump Replacement Project (Award Construction Contract)**
Recommendation: Resolution of the City Council of the City of Yuba City awarding a construction contract to TNT Industrial Contractors, Inc. of Sacramento, CA in the amount of their total bid of \$276,760.00 (WWTF RAS/WAS Pump Replacement Project)
11. **Harter Specific Plan Infrastructure Improvement Fee**
Recommendation: Adopt a Resolution modifying the timing of collection of the Harter Specific Plan Infrastructure Improvement Fee
12. **Harter Estates South (Annexation #4 of property in CFD 2021-1)**
Recommendation: Adopt a Resolution annexing a certain area, Harter Estates South, within the City Limits into an existing Community Facilities District (CFD No. 2021-1) to fund municipal services, and filing said Resolution, along with the Fourth Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter
13. **Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Resolution of Intent**
Recommendation: A. Adopt the following Resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:
 - Resolution Approving the Engineer's Report, Yuba City Landscape Maintenance District No. 1
 - Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1

B. Set a Public Hearing for August 15, 2023 at 6:00 PM to establish assessments for FY 2023-24
14. **Consideration of a Staff Services Agreement between the City of Yuba City and the Sutter County Local Agency Formation Commission (Sutter LAFCO)**

- Recommendation: Authorize the Mayor to sign a Staff Services Agreement between the City of Yuba City and Sutter LAFCO
15. **Overnight Camping Memorandum of Understanding (MOU) - 68 2nd Street, Yuba City**
- Recommendation: Adopt a Memorandum of Understanding (MOU) with the County of Sutter to provide ongoing funding for the operation of an overnight camping site for individuals experiencing homelessness at 68 2nd Street, Yuba City

Business Items

16. **Consideration of Inclusion of Delinquent Charges and Penalties for Water and Wastewater Services on Secured Tax Roll**
- Recommendation: A. Conduct a Public Hearing, and after consideration
- B. Adopt a Resolution for the inclusion of delinquent charges and penalties for water and wastewater services on the secured tax roll in the same manner as the general taxes and directing that a lien also be placed on the subject properties
17. **Burned/Damaged Building Abatement**
- Recommendation: Receive a staff presentation on fire damaged building abatement
18. **Plumas Street Improvements - Water Tower Painting and Lighting (Award Construction Contract)**
- Recommendation: Adopt a Resolution which awards a Standard Agreement to Yesco Signs, LLC of Salt Lake City, UT for the re-painting, logo installation and lighting retrofit services on the Plumas Street water tower in the amount of their total bid of \$390,875.37
19. **Aquifer Storage and Recovery Well Project - Consultant Award**
- Recommendation: Adopt a Resolution with the following actions:
- A. Award a Professional Services Agreement to Carollo of Sacramento, CA in the amount of \$2,613,830 for development of environmental documents, permits, plans and specifications, bid services, and hydro geologic and other services for the Aquifer Storage and Recovery Well Project, subject to material terms, with the finding that it is in the best interest of the City
- B. 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
- C. Authorize the Finance Director to make necessary supplemental appropriations to be reimbursed for the grant funds
20. **Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Public Hearing**
- Recommendation: A. Conduct a Public Hearing
- B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2023-24 within Yuba City

Residential Street Light Maintenance District No. 1 (Tierra Buena) and Residential Street Light Maintenance District No. 1 (Walton Area)

21. Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and 69 Subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Public Hearing

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering the annual levy of assessments for Fiscal Year 2023-24 for the Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, & 6 (Town Center, 69 subdivisions throughout Yuba City including the Palisades Subdivisions and Butte Vista neighborhood, and commercial district)

Future Agenda Items

22. 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

23. City Manager's Report

24. City Council Reports

Adjournment