



AGENDA

JANUARY 16, 2024

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	• Shon Harris
VICE MAYOR	• Dave Shaw
COUNCILMEMBER	• Marc Boomgaarden
COUNCILMEMBER	• Wade Kirchner
COUNCILMEMBER	• Michael Pasquale
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://yubacity-net.zoom.us/webinar/register/WN_nVQWtmiJSEGR_4HXoDiytg. 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 (Government Code, § 54956.9(d)(1))
Name of Case(s): Robert Stoddard
Claim No. 1596610128, 1796610250, 1796610262

- B. Confer with Real Property Negotiator (Government Code § 54956.8)
Property: APN 51-516-007, located at the southwest corner of Darrough Drive and Youngs Lane, Yuba City, California; APN 61-060-015, located at 2761 Quail Pointe Drive, Yuba City California; APN 62-210-002, located at 1488 Royo Ranchero Road, Yuba City, California; APN 62-250-040, located at 1480 Williamsburg Drive, Yuba City, California; APN 62-270-010, located at 3059 Jefferson Avenue, Yuba City, California.

Negotiator: Diana Langley, City Manager/Executive Director

Negotiating parties: TBD

Under negotiation: Whether to sell the properties, and if so, the price and terms of payment

Regular Meeting

Call to Order

Roll Call

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

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. **Smoke Free Places Presentation**
2. **Film Yuba Sutter Presentation**

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. Annual Investment Policy Adoption

Recommendation: Approve Investment Policy as presented

5. Bains-Butte House - General Plan Amendment 23-03, Rezone 23-03, and Environmental Assessment 23-06

Recommendation: Adopt an Ordinance of the City Council of the City of Yuba City approving Rezone (RZ) 23-03 rezoning 0.32 acres from the Two-Family Residential (R-2) Zone District to the Multiple-Family Residential (R-3) Zone District, for the Bains – Butte House

project, located on the northeast corner of Butte House Road and Blevin Road (Assessor's Parcel Number (APN) 059-020-013), by title only and waive the second reading

6. Annual Community Facilities District Report Pursuant to Government Code Section 53411

Recommendation: Note and file

7. 2024 Council Assignments - Amended

Recommendation: Approve the Mayor's Amended Assignments to Regional Boards and Committees for Calendar Year 2024

8. Waste Water Treatment Facility Lift Station 2 Rehabilitation Project - Contingency Increase

Recommendation: Adopt a Resolution which takes the following actions:

A. Authorize an increase in the construction contingency of \$60,213.37, with a finding that it is in the best interest of the City

B. Authorize Amendment No. 1 to the Professional Services Agreement with Inferrera Construction Management Group, Inc. of Shingle Springs, CA for Construction Management and Inspection Services in the amount of \$22,500.00, subject to material terms, with a finding that it is in the best interest of the City

Business Items

9. THIS ITEM IS TIME CERTAIN AT 6:50PM, FOR VERBAL COMMENT DIAL 1-866-730-7514 PIN# 663320

Public Hearing No. 3 for Updating of City Councilmember District Boundaries for Annexed Property

Recommendation: Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City

10. Levy of the 2024 Annual Assessment of the Downtown Yuba City Business Improvement District

Recommendation: A. Conduct a Public Hearing, and after consideration,

B. Adopt a Resolution confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2024

11. Montna Bocce Ball Courts (Contract Award)

Recommendation: Adopt a Resolution which takes the following actions:

A. Awards a construction contract to Figueroa Landscape Company, Inc. of Woodland, CA in the amount of their total base bid \$309,419.66, plus Bid Alternate Schedule 2, Item No. 17 in the amount of \$20,874.00, for a total amount of \$330,293.66

B. Authorizes 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. Authorizes the Finance Director to make necessary supplemental appropriations to fund the Montna Bocce Ball Courts Project

12. Public Works - Development Services Supervisor Classification Adjustments

Recommendation: A. Adopt a Resolution:

1. Approving a side letter with the Mid-Managers bargaining unit to add the Planner – Senior classification, retitle the Engineer – Senior classification to Engineer – Senior Civil, and add the Public Works Maintenance Superintendent classification

2. Authorizing the Finance Director to amend the salary schedule to reestablish the Planner – Senior classification salary range, change the title of Engineer – Senior to Engineer – Senior Civil, and reestablish the Public Works Maintenance Superintendent classification salary range

3. Reclassifying the vacant Project Manager position to a Senior Civil Engineer position

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

13. Bogue Road Improvements – SR-99 to Railroad Avenue (Design Award)

Recommendation: A. Adopt a Resolution awarding a Professional Services Agreement to MHM, Inc. of Marysville, CA for design services for the Bogue Road Improvements Project, including associated SR-99 and sewer extension work, in the amount of \$363,199 plus a 5% contingency of \$18,160 for a total contract amount of \$381,359, with the finding that it is in the best interest of the City

B. Authorize an additional \$150,000 in annual professional services to MHM, Inc. of Marysville, CA, for a total expenditure of up to \$450,000 for Fiscal Year 23/24 for on-call engineering, surveying, and design services

C. Authorize the Finance Director to make budget adjustments and related transfers in the amount of \$270,000 in Development Impact Fee funds from the designated Third Bridge Right-of-Way Development Impact Fee fund balance to Account No. 931295-65501 (Bogue Road Sewer Extension Project) and \$30,000 in Streets and Roads funds from Bridge Street Widening Account No. 921187-65501 to Account No. 921295-65501

Future Agenda Items

14. 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

15. City Manager's Report

16. City Council Reports

Adjournment