



AGENDA

JUNE 3, 2025

REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

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

MAYOR	• Dave Shaw
VICE MAYOR	• Marc Boomgaarden
COUNCILMEMBER	• Toni Cole
COUNCILMEMBER	• Michael Pasquale
COUNCILMEMBER	• Wade Kirchner
CITY MANAGER	• Robert Bendorf
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.*

**AGENDA
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
JUNE 3, 2025**

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

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_cl9COpsMTWqn_AyBgocXhA. 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, if any, 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.

Regular Meeting

Call to Order

Roll Call

☐ Mayor Shaw
☐ Vice Mayor Boomgaarden
☐ Councilmember Kirchner
☐ Councilmember Pasquale
☐ Councilmember Cole

Invocation/Inspiration

Pledge of Allegiance to the Flag

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

Agenda Modifications

Ceremonial Presentations

1. **Recognition of Lily Miller - U.S. Air Force Academy Appointment**
2. **Proclamation - Yuba City Police Department, Volunteers In Policing**
3. **Proclamation - Ben Moody, Director of Public Works and Development Services**

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. Minutes of the May 20, 2025, Special Closed Session and Regular Meetings of the City Council and the May 27, 2025, Special Meeting - Budget Workshop of the City Council

Recommendation: Approve the Minutes of the May 20, 2025, Special Closed Session and Regular Meetings of the City Council and the May 27, 2025, Special Meeting - Budget Workshop of the City Council

6. Harter Estates South Subdivision (Acceptance of Public Improvements)

Recommendation: Adopt a Resolution accepting certain street and related improvements pursuant to the Harter Estates South Subdivision Agreement with D.R. Horton CA2, Inc., a California corporation, and authorizing the Subdivider to file a Notice of Completion [Subdivision is located on the west side of the Harter Specific Plan Area, east of Ruth Avenue, and south of Vine Avenue]

7. West Sanborn Unit 1 Subdivision (Annexation #8 of property in CFD 2021-1)

Recommendation: Adopt a Resolution annexing a certain area, West Sanborn Unit 1 Subdivision, 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 Eighth Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter

Business Items

8. Utilities Instrumentation Services Agreement Amendment

Recommendation: Adopt a Resolution authorizing amendment of the Professional

Services Agreement with TM Process Controls, Inc. of Elk Grove, CA for additional instrumentation and related services for utilities treatment facilities in the additional amount of \$75,000 for a total fiscal year award of \$275,000, with the finding that it is in the best interest of the City

9. Fleet Maintenance Budget Adjustments

Recommendation: Authorize the Finance Director to make a supplemental appropriation and related transfers from various City divisions to the Fleet Maintenance Division operating budget in the amounts of \$110,000 to Account No. 6605-63512 (Vehicle Outside Repairs) and \$40,000 to Account No. 6605-63513 (Specialty Equipment Outside Repairs) for fleet repair services for the remainder of Fiscal Year 24/25

Future Agenda Items

10. 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

11. City Manager's Report

12. City Council Reports

Adjournment



Recognition of
Lily Miller
Appointment to:
United States Air Force
Academy





Proclamation

of the City Council

Yuba City Police Department Volunteers In Policing In Recognition of Your Service

WHEREAS, Yuba City Police Department Volunteers in Policing Program was founded in 1996 to provide an opportunity for members of the community to partner with their Police Department by assuming numerous duties previously performed by full-time staff; and

WHEREAS, the Volunteers support the Department by providing essential services such as neighborhood patrols, vacation checks, traffic control assistance, administrative support, community outreach, and crime prevention education; and

WHEREAS, from April 1, 2024, to March 31, 2025, the Yuba City Police Department Volunteers have provided a total of 3,157 hours of volunteer service; the equivalent of \$63,140 in paid wages; and

WHEREAS, their dedication, exemplary service, and unwavering commitment to the Police Department embodies a generous spirit of serving our community; and

WHEREAS, the safety and well-being of our citizens is strengthened by the active involvement of dedicated individuals who willingly give their time and talents for the benefit of all; and

WHEREAS, it is fitting that we celebrate with great appreciation the extraordinary contributions of the Volunteers in Policing, whose efforts contribute to an improved quality of life for all residents.

NOW, THEREFORE, BE IT RESOLVED, that I, Dave Shaw, Mayor of the City of Yuba City, on behalf of the entire Council and citizens we serve, do hereby recognize and honor the numerous hours of dedicated service the Yuba City Police Volunteers have contributed to our community.

Done on this 3rd day of June 2025 in the City of Yuba City, County of Sutter, State of California.



Proclamation

of the City Council

Ben Moody

Director

Public Works and Development Services

In Recognition of 19 Years of Service

Proclamation to be presented at City Council meeting



CITY OF YUBA CITY

Public Communication

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

You are welcome and encouraged to participate in this meeting. Complete a Speaker Card located in the lobby and give to the Clerk, 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.

When a matter is announced, wait to be recognized by the Mayor to provide your comments to the Council. Comments should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

Request for additional time to address Council

Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted 5 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.

Procedure

When requesting to comment, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:
Ciara Wakefield, City Clerk
cityclerk@yubacity.net

CITY OF YUBA CITY
STAFF REPORT

Date: June 3, 2025
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Minutes of the May 20, 2025, Special Closed Session and Regular Meetings of the City Council and the May 27, 2025, Special Meeting - Budget Workshop of the City Council

Recommendation: Approve the Minutes of the May 20, 2025, Special Closed Session and Regular Meetings of the City Council and the May 27, 2025, Special Meeting - Budget Workshop of the City Council

Fiscal Impact: None

Attachments:

1. 05-20-2025 Special Closed Session Minutes (DRAFT)
2. 05-20-2025 Regular Meeting Minutes (DRAFT)
3. 05-27-2025 Special Meeting Minutes - Budget Workshop (DRAFT)

Prepared By:
 Ciara Wakefield
 City Clerk

Submitted By:
 Robert Bendorf
 Interim City Manager

ATTACHMENT 1

MINUTES (DRAFT)
SPECIAL CLOSED SESSION MEETING OF
CITY COUNCIL - CITY OF YUBA CITY

MAY 20, 2025

4:00 P.M. CLOSED SESSION
SUTTER ROOM

Special Meeting – Closed Session

The Special Closed Session Meeting of the City Council was called to order by Mayor Shaw at 4:04 PM

Roll Call

Present: Mayor Shaw, Councilmembers Boomgaarden, Cole Kirchner, and Pasquale

Absent: None

Public Communication

No public comment received

Closed Session

Public Employee - Appointment (Pursuant to Government Code, § 54957) Title: City Manager

Recess

Special Closed Session Meeting went to recess in order to hold the Regular Meeting. Closed Session resumed at the close of the Regular Meeting

Adjournment

Mayor Shaw adjourned the Special Closed Session of the City Council at 8:30 PM

ATTEST:

Dave Shaw, Mayor

Ciara Wakefield, City Clerk

ATTACHMENT 2

MINUTES (DRAFT)
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
MAY 20, 2025
6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

Regular Meeting

The Regular Meeting of the City Council was called to order by Mayor Shaw at 6:04 PM

Roll Call

Present: Mayor Shaw and Councilmembers Boomgaarden, Cole, Kirchner, and Pasquale

Absent: None

Invocation/Inspiration

Wade Kirchner, Councilmember

Pledge of Allegiance to the Flag

Toni Cole, Councilmember

City Attorney's Report on Closed Session Items

Shannon Chaffin, City Attorney, no reportable action and noted that the Special Closed Session Meeting would resume at the conclusion of the Regular Meeting

Agenda Modifications

Item 13 (Clarification) – No change to recommendation. However, the applicant is requesting that HCD approve a smaller unit amount and Staff wanted to make clear that funding would not be spent/given to the applicant until all HCD approvals are achieved (regardless of unit amount)

Ceremonial Presentations

1. Retirement Proclamation - Jackie Lee, Yuba Sutter Chamber of Commerce

Mayor Shaw presented a proclamation to Jackie Lee

2. National Police Week Proclamation

Mayor Shaw presented a proclamation to Interim Chief Runyen and members of the

3. Adventist Health and Rideout - Update on Project Hope Major

Chris Champlain, President and CEO of Adventist Health and Rideout, gave a presentation

Public Communication

4. Appearance of Interested Citizens

No public comment

Consent Calendar

Councilmember Kirchner moved and Councilmember Cole seconded the motion to approve Consent Calendar items 5-13

5. Minutes of the April 15, 2025, Regular Meeting of the Successor Agency to the Redevelopment Agency and City Council

Approve the Minutes of the April 15, 2025 Regular Meeting of the Successor Agency to the Redevelopment Agency and City Council

6. Amend 2025 City Council Meeting Calendar

Approve the Amended 2025 City Council Meeting Calendar to include June 3 and June 17, 2025

7. Amendment with Kronick, Moskovitz, Tiedemann & Girard for Employment and Labor Attorney Services

Adopt **Resolution 25-048** approving an amendment to the agreement with Kronick, Moskovitz, Tiedemann & Girard to increase the maximum compensation payable to \$120,000 for Fiscal Year 2024-25

8. Compliance Report for State Mandated Annual Fire Inspections

Adopt **Resolution 25-049** acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4

9. Renewal of School Resource Officer Contract with Yuba City Unified School District and the City of Yuba City

A. Adopt **Resolution 25-050** of the City of Yuba City approving a School Resource Officer agreement with the Yuba City Unified School District

B. Authorize the Chief Financial Officer to make budget adjustments as necessary

10. AB 481 Annual Military Equipment Report

Adopt **Resolution 25-051** accepting the 2024 Annual Report and continue to authorize the YCPD to use existing equipment that falls under the military equipment use policy (YCPD policy 707) which complies with the requirements of AB 481

11. 2024 Beverage Container Recycling Grant Recommended Expenditures

- A. Adopt **Resolution 25-052** authorizing receipt, allocation and expenditure of the 2024 Beverage Container Recycling Grant
- B. Authorize the Finance Director to make budget adjustments as necessary

12. Active Transportation Plan - Contract Award

Adopt **Resolution 25-053** which takes the following actions:

- A. Awards a Professional Services Agreement to Fehr & Peers, of Roseville, CA for the Active Transportation Plan in the amount of \$313,500, subject to material terms, with the finding that it is in the best interest of the City
- B. Authorizes the Finance Director to make a supplemental appropriation in the amount of \$30,000 from unallocated Transportation Development Act funds to CIP Account No. 911338-65501

13. Richland Village Affordable Housing Funding - Supplemental Appropriation

Adopt **Resolution 25-054** to:

- A. Authorize the Finance Director to make supplemental appropriation of \$1,000,000 to Fund 298 Account 6098- 65305 to fulfill the City's commitment to Regional Housing Authority (RHA) for Richland Village Affordable Housing and;
- B. Authorize the City Manager or designee to approve the necessary documents for processing the payment of the capital funds grant to Regional Housing Authority

[Approved with clarification: Funding would not be spent/given to the applicant until all HCD approvals are achieved (regardless of unit amount)]

The motion was passed unanimously

Business Items

14. AB 2561 - Status of Vacancies, Recruitment and Retention Efforts

Receive a report from City staff on the status of vacancies and recruitment and retention efforts; and conduct a Public Hearing as required by Government Code Section 3502.3

Mayor Shaw opened a Public Hearing

No public comment

Mayor Shaw closed the Public Hearing

No Council action taken – Public Hearing only

15. Plumas Street Water Tower Plaza (Construction Contract Award)

Sandee Drown spoke

Viethong Wong Tran spoke

Mayor Shaw moved and Councilmember Kirchner seconded the motion to:

Adopt **Resolution 25-055** which takes the following actions:

- A. Awards a construction contract to North Star Construction of Yuba City, CA based on the base bid with a reduced scope, plus Alternate Bid Schedule 1 with a reduced scope, in the amount of \$1,768,489, with a 5% contingency, and rejection of bid if not accepted
- 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 budget transfers or supplemental appropriations to fund the Plumas Street Water Tower Plaza Project

The motion was passed with 4 votes [Pasquale opposed]

16. Plumas Street Overlay District

Marni Sanders spoke

Councilmember Cole moved and Vice-Mayor Boomgaarden seconded the motion to:

Initiate a Municipal Code amendment to establish an Overlay District in downtown Yuba City from Colusa Avenue (State Hwy 20) to Bridge Street and along Center Street, to prohibit new tobacco and vape retailers as well as the sale of alcohol for offsite consumption to promote better health, entertainment, and a family friendly environment

The motion was passed unanimously

17. Planning Division Fee Schedule Update

Mayor Shaw opened a Public Hearing

No public comment

Mayor Shaw closed the Public Hearing

Councilmember Pasquale moved and Councilmember Cole seconded the motion to:

Adopt **Resolution 25-056** amending the Schedule of Fees and Charges for Planning Services beginning fiscal year 25/26

The motion was passed unanimously

18. Future Agenda Items

Vice-Mayor Boomgaarden requested that the scope of the Adventist Ad Hoc Committee be expanded to include additional community partners

Reports and Communications

19. City Manager's Report

20. City Council Reports

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

Adjournment

Mayor Shaw adjourned the Regular Meeting of the City Council in memory of George Nicholau and Del Heffley at 7:30 PM

The City Council returned to their Special Closed Session Meeting

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

ATTACHMENT 2

MINUTES (DRAFT)
BUDGET WORKSHOP - MAY 27, 2025
5:30 P.M. COUNCIL CHAMBERS/VIRTUAL

Special Workshop

The Special Meeting of the City Council was called to order by Mayor Shaw at 5:30 PM

Roll Call:

Present: Mayor Shaw, Councilmembers Boomgaarden, Cole, Kirchner, and Pasquale

Absent: None

Pledge of Allegiance to the Flag

Pledge was led by Councilmember Kirchner

General Items

1 Proposed Fiscal Year 2025 - 2026 Operating Budget and Capital Improvement Project Budget

Conducted a workshop to review the Proposed FY 25/26 Operating and Capital Improvement Project Budgets. Discussion and direction to staff

Adjournment

Mayor Shaw adjourned the Special Meeting Budget Workshop of the City Council at 7:13 PM

ATTEST:

Dave Shaw, Mayor

Ciara Wakefield, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: June 3, 2025
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Harter Estates South Subdivision (Acceptance of Public Improvements)
Recommendation: Adopt a Resolution accepting certain street and related improvements pursuant to the Harter Estates South Subdivision Agreement with D.R. Horton CA2, Inc., a California corporation, and authorizing the Subdivider to file a Notice of Completion [Subdivision is located on the west side of the Harter Specific Plan Area, east of Ruth Avenue, and south of Vine Avenue]
Fiscal Impact: City will become responsible for maintenance costs of the public improvements.

Purpose:

To accept the infrastructure improvements associated with the Harter Estates South Subdivision for public use and initiate the one (1) year warranty period.

Council's Strategic Goal:

Acceptance of these improvements coordinates with the Council Strategic Goal related to Infrastructure. The action is necessary to comply with the Development Subdivision Agreement and transfer the private development to the City as public infrastructure.

Background:

On August 15th, 2023, Council authorized Resolution No. 23-102 to execute a Subdivision Agreement with the Subdivider, D.R. Horton CA2, Inc., a California corporation, regarding the development of the Harter Estates South Subdivision (SM 19-04) (Attachment 2). Per the agreement, the Subdivider was to construct the determined improvements and, upon completion, dedicate and offer the improvements to the City to constitute public improvements.

Analysis:

The Harter Estates South Subdivision street and related improvements have been constructed to the satisfaction of the City. At this time, the Subdivider is requesting acceptance of the improvements so that the one (1) year warranty period can begin. All of the required

improvements within the subdivision have been constructed in conformance with the approved plans and specifications. With the acceptance, the Subdivider will provide security for the guarantee and warranty of the work in the amount of 10% of the cost of the improvements, which equates to \$ 410,927.22.

Fiscal Impact:

With the acceptance of the improvements, the City will become responsible for the ongoing maintenance of the public improvements, including the water, sewer, storm-drain lines, streets, streetlights, and landscaping. Residents within the subdivision will participate in Lighting and Landscape Maintenance District No. 6A_3, which will pay for the proportional share of the maintenance of the streetlights and landscaping. Maintenance costs for the water and sewer lines will come from the Water Enterprise and Sewer Enterprise funds, respectively, and maintenance of the streets and storm drains will be funded with road funds and the established Community Facilities District for the subdivision.

Alternatives:

Do not accept the improvements.

Recommendation:

Adopt a Resolution accepting certain street and related improvements pursuant to the Harter Estates South Subdivision Map Agreement with D.R. Horton CA2, Inc., a California corporation, and authorizing the Subdivider to file a Notice of Completion. [Subdivision is located on the west side of the Harter Specific Plan Area, east of Ruth Avenue, and south of Vine Avenue.]

Attachments:

1. Resolution accepting Harter South Subdivision Improvements
2. Location Map of Harter Estates South

Prepared By:

Kevin Bradford
Deputy PW Director – Engineering

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACCEPTING CERTAIN STREET AND RELATED IMPROVEMENTS
PURSUANT TO THE HARTER ESTATES SOUTH SUBDIVISION
AGREEMENT DATED AUGUST 15, 2023 BETWEEN THE CITY OF YUBA
CITY AND D.R. HORTON CA2, INC., A CALIFORNIA CORPORATION, AND
AUTHORIZING THE SUBDIVIDER TO FILE THE NOTICE OF COMPLETION.**

WHEREAS, the City of Yuba City (City) has heretofore contracted with D.R. Horton CA2, Inc., a California corporation (Subdivider) for certain work pursuant to that Harter Estates South Subdivision Agreement dated August 15th, 2023, between the City of Yuba City and D.R. Horton CA2, Inc., a California corporation as a condition of approval for Tentative Subdivision Map No. 19-04; and

WHEREAS, said work of improvements called for by said Agreement for street and related improvements was completed to the satisfaction of the City, and a maintenance bond insuring the work of improvements from a maintenance standpoint for a period of one (1) year from and after completion has been provided.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Yuba City hereby accepts the work performed on those certain improvements, the subject of the Harter Estates South Subdivision Agreement dated August 15th, 2023, between the City of Yuba City and D.R. Horton CA2, Inc., a California corporation, and authorizes and directs the Subdivider to execute and record a Notice of Completion in connection with said work of improvement.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 3rd day of June, 2025.

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

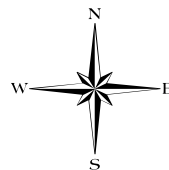
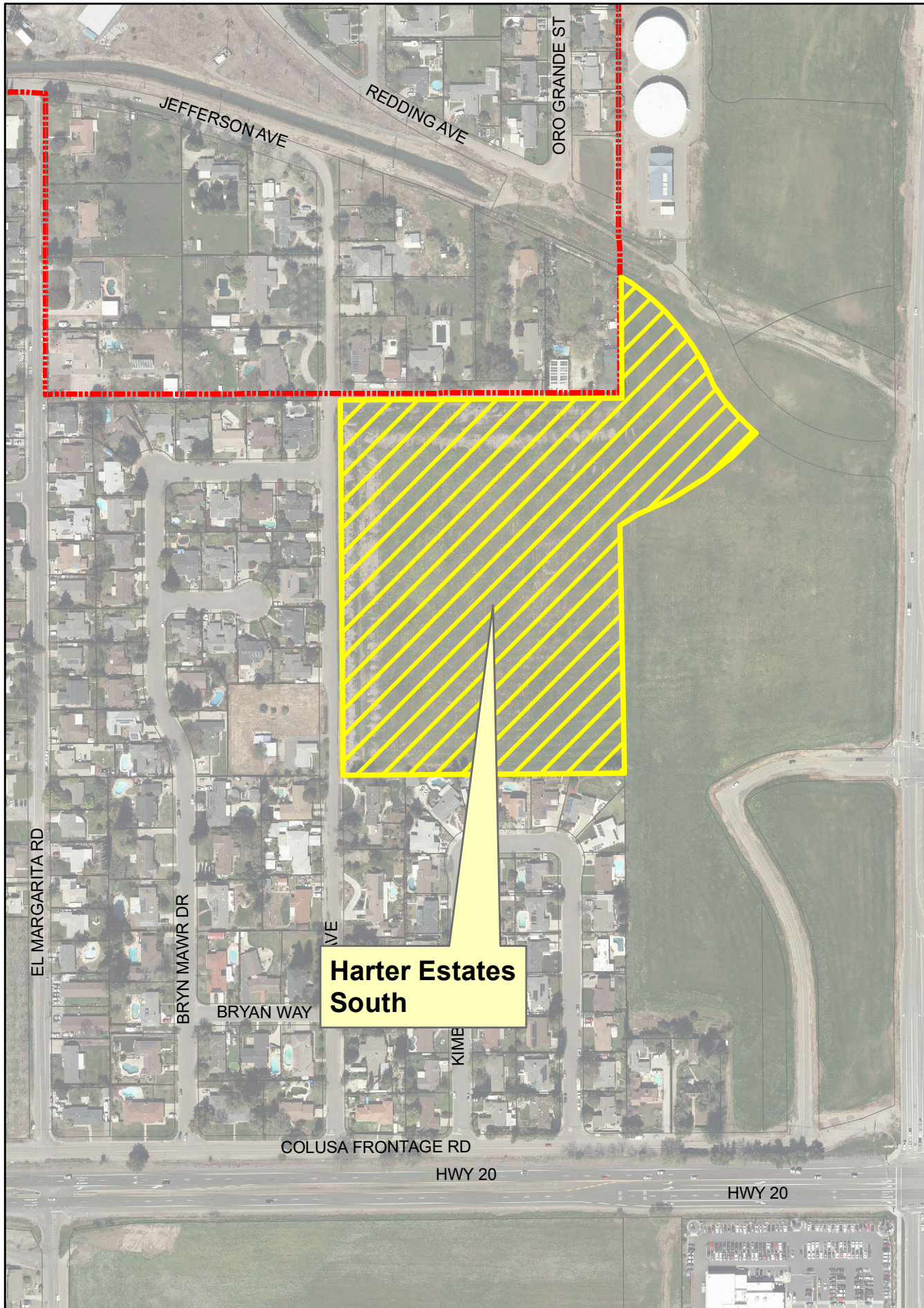
ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2



Location Map: Harter Estates South
Tentative Subdivision Map 19-04

CITY OF YUBA CITY
STAFF REPORT

Date: June 3, 2025
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: West Sanborn Unit 1 Subdivision (Annexation #8 of property in CFD 2021-1)
Recommendation: Adopt a Resolution annexing a certain area, West Sanborn Unit 1 Subdivision, 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 Eighth Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter
Fiscal Impact: This CFD annexation will provide \$518.99 per single family unit and \$378.56 per multi-family residential unit annually, with provisions for inflation

Purpose:

To include new residential development in a Community Facilities District (CFD) to pay for impacts to City Services.

Council's Strategic Goals:

This item addresses the City Council's Strategic Goal of operating government in a fiscally responsible and responsive manner.

Background:

The City's adopted policy and Project Conditions of Approval for new residential development include a requirement that the development pay for its share of operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs. On November 10, 2021, the Planning Commission approved Tentative Map SM 19-02, West Sanborn Unit 1 Subdivision, to subdivide 10.91 acres into 56 residential parcels located at the northwest corner of Sanborn Road and Bogue Road. Planning Commission Condition of Approval No. 48 contains the requirement to pay for operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs.

The Mello-Roos Community Facilities Act of 1982 (Act) provides a mechanism for cities to form CFDs in order to finance the provision of certain municipal services. The types of services that may be provided by a CFD are as follows:

1. Police
2. Fire
3. Recreation and Library
4. Maintenance of parks, parkways and open space
5. Maintenance of Roadways
6. Flood and storm protection services
7. Hazardous substance removal or remediation

On May 18, 2021, Council adopted Resolution 21-047 establishing policies related to CFDs for services. At this same meeting, Council adopted Resolution 21-048 stating its intention to establish City of Yuba City Community Facilities District 2021-1 (Municipal Services) (CFD 2021-1), authorize the levy of a special tax within the district, and authorize the annexation of future territory into the future annexation area by unanimous written approval.

On July 6, 2021, Council voted the Initial Property (Dunn Ranch Estates – Unit 1 Subdivision [56 residential lots] at the southeast corner of Royo Ranchero Drive and Monroe Drive) to be part of CFD 2021-1 and subject to the special taxes therein. Council also voted to include a Future Annexation Area. The Future Annexation Area consists of several undeveloped, residential zoned properties generally in the western and southern Yuba City Urbanized Area. The Future Annexation Area allows new property owners to annex to the district by unanimous written consent, which streamlines the CFD annexation process.

Analysis:

The Developer of West Sanborn Unit 1 Subdivision has executed an Unanimous Approval of Annexation to a Community Facilities District (CFD 2021-1) to satisfy this condition. West Sanborn Unit 1 Subdivision will be the eighth property to annex to CFD 2021-1 (Annexation No. 8), and will be subject to the special taxes therein.

In Resolution 21-048, Council directed the preparation of the Report for CFD 2021-1 to show the services to be provided in CFD 2021-1. The Hearing Report for CFD 2021-1 follows the same methodology used in the formation of CFD 2017-1, which initially established a maximum levy of \$425 annually per single family residential unit with an escalation factor equal to the percentage escalation of the City's combined Police and Fire Department budgets, up to a maximum escalation of 4 percent. The current levy in fiscal year 2024/25 is \$518.99 annually per single family residential unit and \$378.56 annually per multi-family residential unit, which will be subject to future escalation in accordance with the rate and method of apportionment of the special tax.

A Notice of Special Tax Lien is to be recorded concurrently with the boundary map (Annexation No. 8 – West Sanborn Unit 1 Subdivision) in the Office of the County Recorder for the County of Sutter, State of California. The lien of the Special Tax is a continuing lien which shall secure each annual levy of the Special Tax within the area of Annexation No. 8 (West Sanborn Unit 1 Subdivision).

Fiscal Impact:

A total of 56 residential parcels are contained in the West Sanborn Unit 1 Subdivision resulting in a total current annual levy of \$29,063.44, based on fiscal year 2024/25 rates.

The developer is responsible for covering the costs of annexing to the CFD.

Alternatives:

Do not adopt a resolution annexing West Sanborn Unit 1 Subdivision into CFD No. 2021-1 to fund Municipal Services, and direct staff on other acceptable means of assuring this development contributes its fair share of impacts to services.

Recommendation:

Adopt a Resolution annexing a certain area, West Sanborn Unit 1 Subdivision, 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 Eighth Amendment to the Notice of Special Tax Lien, in the office of County Recorder of the County of Sutter.

Attachments:

1. Resolution approving Annexation No. 8 (West Sanborn Unit 1 Subdivision) to CFD 2021-1
2. Eighth Amendment to Notice of Special Tax Lien

Prepared By:

Kevin Bradford
Deputy Public Works Director – Engineering

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF YUBA CITY COMMUNITY FACILITIES DISTRICT NO. 2021-1 (MUNICIPAL SERVICES) APPROVING ANNEXATION NO. 8 (WEST SANBORN UNIT 1 SUBDIVISION) TO SAID DISTRICT RELATING TO THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF SANBORN ROAD AND BOGUE ROAD.

WHEREAS, on May 18, 2021, this City Council adopted a resolution entitled “A Resolution Of The City Council Of The City Of Yuba City Declaring Its Intention To Establish Yuba City Community Facilities District No. 2021-1 (Municipal Services), To Authorize The Levy Of A Special Tax Therein To Finance Certain Services And To Authorize The Annexation Of Future Territory In The Future Annexation Area To The District By Unanimous Written Approval” (the “Resolution of Intention”), stating its intention to form Yuba City Community Facilities District No. 2021-1 (Municipal Services) (the “CFD”), pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”) and a future annexation area to the CFD (“Future Annexation Area”);

WHEREAS, the Resolution of Intention, setting forth a description of the proposed boundaries of the CFD and Future Annexation Area, services to be financed by the CFD (“Services”) and Future Annexation Area, including incidental expenses, and the rate and method of apportionment (the “Rate and Method”) of the special tax (the “Special Tax”) to be levied within the CFD to pay for the Services, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein;

WHEREAS, the Resolution of Intention set July 6, 2021, as the date for the joint public hearing on the establishment of the CFD, the extent of the CFD, the Future Annexation Area, the furnishing of the Services within the CFD, and the proposed Rate and Method;

WHEREAS, a notice of the public hearing to be held on July 6, 2021 was published in accordance with the Act;

WHEREAS, on July 6, 2021, this Council held noticed joint public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD and the Future Annexation Area;

WHEREAS, at the hearing all interested persons desiring to be heard for or against the establishment of the CFD, the extent of the CFD, the furnishing of the Services and the Rate and Method and the Future Annexation Area were heard and a full and fair hearing was held;

WHEREAS, at the hearing evidence was presented to this Council on such matters before it, including a special report (the “Hearing Report”) as to the Services to be provided through the CFD and the costs;

WHEREAS, following the close of the hearing, written protests with respect to the formation of the CFD, the furnishing of specified types of services and the Rate and Method had not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing

within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the proposed special taxes; and

WHEREAS, following the close of the hearing, written protests with respect to the Future Annexation Area, the furnishing of specified types of services and the Rate and Method had not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or Future Annexation Area or property owners of one-half (1/2) or more of the area of land within the CFD or Future Annexation Area and not exempt from the proposed special taxes; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-094, which is on file with the City Clerk and incorporated herein by this reference, that ordered the formation of the CFD and Future Annexation Area, defined the public services (the "Services") to be provided by the CFD, authorized the levy of a special tax on property within the CFD, preliminarily established an appropriations limit for the CFD, and approved future qualifying projects the ability to voluntarily annex into the Future Annexation Area by unanimous approval of the property owners, all pursuant to the Act; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-095 that called a special election for July 6, 2021, at which the questions of levying a special tax and establishing an appropriations limit with respect to the CFD were submitted to the qualified electors within the CFD; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution No. 21-096, that declared the results of the special election and finding that more than two-thirds (2/3) of all votes cast at the special election were in favor of the issue presented, and such measure passed; and

WHEREAS, on July 12, 2021 a notice of special tax lien was recorded with the Office of the County Recorder of the County of Sutter, as Document No. 2021-0012518 the "Notice of Special Tax Lien"), thereby giving notice that the lien to secure payment of the special tax was imposed on the land in the CFD; and

WHEREAS, the owner (the "Property Owner") of the parcels listed in Exhibit A hereto and incorporated herein by this reference, located within the Future Annexation Area (the "Property") has agreed to mitigate certain impacts of the proposed development of the Property by paying for the Services financed by the CFD; and

WHEREAS, pursuant to the Act, the Property Owner has executed a unanimous approval, attached hereto as Exhibit B and incorporated herein by this reference (the "Unanimous Approval"), constituting the Property Owner's unanimous approval and unanimous vote in favor of the annexation of the Property to the CFD and the levy of special taxes on the Property; and

WHEREAS, the City Council now wishes to approve this Annexation No. 8 of the Property pursuant to the simplified process for annexations under Sections 53328.1, 53339.7 and/or 53339.8 of the Act and add Annexation No. 8 (West Sanborn Unit 1 Subdivision) as part of the CFD.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY, ACTING AS LEGISLATIVE BODY OF THE CITY OF YUBA CITY COMMUNITY FACILITIES DISTRICT NO. 2021-1 (MUNICIPAL SERVICES) DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The City Council finds and determines that all the foregoing recitals are true and correct and incorporated herein.

2. Unanimous Approval. The City Council hereby receives and files the Unanimous Approval as Annexation No. 8 (West Sanborn Unit 1 Subdivision) to the CFD, and hereby further authorizes and directs the officers of the City to do any and all things to execute and delivery all documents they may deem necessary or advisable in order to consummate the transaction described herein and to effectuate the purpose of this Resolution.

3. Approval of Annexation. The City Council hereby determines that the Property is added to and part of the CFD with full effect and the City Council approves and confirms the Rate and Method of Apportionment of the Special Tax attached to the Unanimous Approval this reference incorporated herein. The City Council hereby finds that the Property Owner's unanimous written approval is equivalent to an election pursuant to Government Code Section 53339.7(a) of the Act. The Property is added to and part of the existing CFD with full legal effect, and the City Council shall levy any special tax within the annexed territory as specified in the Ordinance No. 005-021 adopted with respect to the CFD pursuant to Government Code Section 53340, any resolution related thereto and, as specified in the Resolution of Intention, and as specified in any other Ordinance, if any, adopted pursuant to Government Code Section 53340.

4. Consolidation of Annexed Map. The City Council hereby determines that the territory described in Exhibit C hereto, and further defined in the map entitled "Annexation Map No. 8 (West Sanborn Unit 1 Subdivision) of City of Yuba City Community Facilities District No. 2021-1 (Municipal Services), City of Yuba City, County of Sutter, State of California" which is on file with the City Clerk, is added to and part of the CFD with full effect. The City Clerk is hereby authorized and directed to endorse the certificates set forth on the map and to record the map in accordance with the provisions of Sections 3111, 3113 and 3113.5 of the Streets and Highways Code of the State of California.

5. Validity of Procedures. The City Council hereby finds and determines that all prior proceedings and actions taken by the City Council pursuant to the Act in connection with the formation, voluntary annexation area and annexation of territory to the CFD, including this Annexation No. 8 (West Sanborn Unit 1 Subdivision)

6. Amendment to Notice of Special Tax Lien. The City Clerk, or designee, is hereby directed to complete, execute and cause to be recorded in the office of County Recorder of the County of Sutter, an amendment to the Notice of Special Tax Lien, in accordance with the provisions of Sections 3114.5 and 3117.5 of California Streets and Highways Code of the State of California within fifteen (15) days of the adoption of this Resolution, evidencing that the Property is added to the CFD.

7. Effective Date. The City Clerk shall certify the adoption of this Resolution. This Resolution shall take effect upon its adoption.

[SIGNATURES ON FOLLOWING PAGE]

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 3rd day of June, 2025, by the following vote:

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

ATTEST

Ciara Wakefield, City Clerk

APPROVED AS TO FORM:

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibits:

- A. Assessor parcel Numbers and Owners of Land
- B. Unanimous Approval
 - a) Exhibit A – Description of Services
 - b) Exhibit B – Annexation No. 8, Rate and Method of Apportionment
 - c) Exhibit C – Annexation Map No. 8 for West Sanborn Unit 1 Subdivision

EXHIBIT A

**CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)**

ANNEXATION NO. 8 (WEST SANBORN UNIT 1 SUBDIVISION)

ASSESSOR'S PARCEL NUMBERS AND OWNERS OF LAND

Assessor Parcel No(s)

65-020-013

Name of Property Owner

FOR California Development LLC, a Delaware
limited liability company

That will become 56 parcels with assessor parcel numbers

065-020-TBD

EXHIBIT B

**CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)**

ANNEXATION NO. 8 (WEST SANBORN UNIT 1 SUBDIVISION)

UNANIMOUS APPROVAL

[attached]

UNANIMOUS APPROVAL
of Annexation to a Community Facilities District and Related Matters
City of Yuba City
Community Facilities District No. 2021-1
(Municipal Services)

Annexation No. 8 (West Sanborn Unit 1 Subdivision)

To the Honorable City Council
City of Yuba City, as legislative body of
Community Facilities District No. 2021-1
(Municipal Services)
1201 Civic Center Boulevard,
Yuba City, California 95993

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of FOR California Development LLC, a Delaware limited liability company the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Sections 53328.1 and/or 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), to the annexation of the Property to the "City of Yuba City Community Facilities District No. 2021-1 (Municipal Services)" (the "CFD") and approval of the special taxes to be levied against the Property, and the undersigned hereby states, certifies, agrees and declares under penalty of perjury, as follows:

1. Property Owner. This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property. No parties are residing on the Property and therefore there are no registered voters on the Property.

2. Approval of Annexation. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services, which are incorporated herein by this reference (the "Services") described in Exhibit A hereto and made a part hereof. In such connection Property Owner has reviewed the list of the Services and hereby agrees, consents and approves to the Services and the Annexation of the Property to the CFD for the benefit of the City and the CFD.

3. Approval of Special Tax and the Services. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the Services. The Special Taxes will be levied according to the Rate and Method of Apportionment of Special Taxes for the CFD attached hereto as Exhibit B and made a part hereof (the "Rate and Method"). In such connection property owner consents and approves of the Rate and Method and understands that such taxes shall be levied against the Property.

4. Approval of the Appropriations Limit. This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the appropriations limit

established for the CFD. The Property Owner hereby approves, consents and agrees to the appropriations limit for the CFD of \$1,700,000, pursuant to Article XIII B of the California Constitution, as adjusted for changes in the cost of living and changes in the population.

5. Waivers and Vote. Resolution No. 21-048 adopted by the City Council on May 18, 2021 and Resolution No. 21-094 adopted by the City Council on July 6, 2021 and Sections 53328.1 and 53339.3 of the Act provide an alternate and independent procedure for annexation to a community facilities district that simplifies the annexation process. Under such process, the Property Owner acknowledges and agrees that by executing this Unanimous Approval, the Property Owner is voluntarily waiving any and all right to an election held in accordance with Sections 53326, 53327, 53327.5, 53328, 53339.7, 53339.8 and other relevant provisions of the Act. The Property Owner hereby confirms that this Unanimous Approval constitutes its unanimous approval and unanimous vote as described herein and as contemplated by Section 53339.3 *et seq.* of the Act and for purposes of the California Constitution Article XIII A and XIII C. In lieu of an approval by public hearing, ballot and election, if any, the Property Owner intends for this Unanimous Approval to constitute its ballot and election and waiver of a public hearing. Further, the Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property in accordance with the rate and method of apportionment and the other matters covered in this Unanimous Approval.

6. Recordation of Amendment to Notice of Special Tax Lien. The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of Sutter, State of California on July 12, 2021, as Document No. 2021-0012518.

The Property Owner hereby understands and agrees, consents and approves to the City Clerk, or City designee, to execute and cause to be recorded in the office of the County Recorder of the County of Sutter an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

7. Authority Warranted. The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions for the annexation of the Property to the CFD and the levy of special taxes within the area of the Property shall not constitute events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any “due-on-encumbrance” clauses under any existing security instruments secured by the Property.

8. Due Diligence and Disclosures. The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City and/or the Act about the Special Taxes to purchasers of the Property or any part of it.

9. Agreements. The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City’s costs in annexing the Property to the CFD.

10. The Property. The Property is identified below, and such Property Owner approves, consents and agrees that Property will be subject to the CFD upon recordation of the amendment to the Notice of Special Tax Lien. The Property is located in the Future Annexation Area of the CFD and the map is attached hereto as Exhibit C.

Assessor's Parcel Number(s):

APN	Acreage	Anticipated Units	Property Owner
65-020-013	10.91	56 residential parcels	FOR California Development LLC, a Delaware limited liability company

Acres: 10.91

By executing this Unanimous Approval, the Property Owner agrees, consents, declares and certifies to all of the above.

Annexation No. 8 (West Sanborn Unit 1 Subdivision)

Property Owner

By: FOR California Development LLC, a Delaware limited liability company

By: _____

Print Name: David Ash Corry
Title: Vice President

Notice Address

FOR California Development LLC, a Delaware limited liability company

3000 Lava Ridge Ct #130

Roseville, CA 95661

Annexation No. 8 (West Sanborn Unit 1 Subdivision)

EXHIBIT A

**City of Yuba City
Community Facilities District No. 2021-1
(Municipal Services)**

DESCRIPTION OF SERVICES

The Services to be funded by the CFD include the following services and all incidental expenses related to such services, all of which are authorized by the Act:

PUBLIC SERVICES

- (a) Police protection services;
- (b) Fire protection and suppression services, ambulance and paramedic services;
- (c) maintenance of parks, parkways, streets, roads, and open space;
- (d) flood and storm protection services, including but not limited to the maintenance of storm drainage systems and sandstorm protection systems,
- (e) Services with respect to the removal or remedial action for the cleanup of any hazardous substance released or threatened to be released into the environment, subject to the limitations contained in Section 53313 of the Act;
- (f) Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency pursuant to an agreement entered into under Section 53316.2; and
- (g) costs incurred by the City and or County in formation of the district, annexation and annual contract administration.

In accordance with Section 53313 of the Act, the additional services may not supplant services available within the territory when the district was created or annexed.

The same types of services which are authorized to be financed by CFD No. 2021-1 are the types of services to be provided in the Future Annexation Area, as properties are annexed.

The services include operational and maintenance costs associated with providing such services.

EXHIBIT B

City of Yuba City

Community Facilities District No. 2021-1

(Municipal Services)

RATE AND METHOD OF APPORTIONMENT

The Special Tax shall be levied in Annexation No. 8 (West Sanborn Unit 1 Subdivision) in accordance with the Rate and Method of Apportionment of Special Tax for City of Yuba City Community Facilities District No. 2021-1 (Municipal Services) pursuant to the rate set forth in the attachment hereto.

**CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2021-1 (Municipal Services) [herein "CFD No. 2021-1"] shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2021-1, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2021-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acreage" or "Acre" means the land area making up an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the County Recorder's Office.

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Tax, including salaries of City employees and fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the CFD No. 2021-1 as determined by the Finance Director.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Rate and Method of Apportionment of Special Tax.

"Annual Tax Escalation Factor" means an annual increase in the Maximum Special Tax following the Base Year in an amount not to exceed four percent (4%). The Annual Tax Escalation Factor shall be based on the budgeted escalation of the City of Yuba City's combined Police and Fire Departments from the previous fiscal year.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel number.

"Authorized Services" means the public services authorized to be funded by CFD No. 2021-1 as set forth in the documents adopted by the City Council when the CFD No. 2021-1 was formed.

"Base Year" means Fiscal Year 2020-2021.

"City" means the City of Yuba City.

"City Council" means the City Council of the City of Yuba City, acting as the legislative body of CFD No. 2021-1.

"County" means Sutter County, California.

"Developed Residential Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential structure was issued prior to June 30 of the preceding Fiscal Year.

"Finance Director" means the Finance Director for the City or his or her designee or successor.

"Fiscal Year" means the period starting on July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C below that can be levied on Taxable Property in any Fiscal Year.

"Multi-Family Property" means, in any Fiscal Year, all units in CFD No. 2021-1 for which a building permit was issued or may be issued for construction of a residential structure with multiple units that share common walls, all of which are offered for rent to the general public.

"Public Property" means any property within the boundaries of CFD No. 2021-1 that is owned by the federal government, State of California, County, City, or other public agency.

"Residential Unit(s)" means an individual lot of land for which a building permit could be issued to construct one or more residential dwelling units.

"Residential Property" means all Assessor's Parcels of Taxable Property for which a map has been recorded designating individual Residential Units.

"Non-Residential Property" means all Assessor's Parcels of Taxable Property within the boundaries of CFD No. 2021-1 for which a map has been recorded designating the Assessor's Parcel as a lot for which a building permit could be issued and the Assessor's Parcel cannot be classified as a Residential Property.

"Special Tax" means any tax levied to pay for Authorized Services and Administrative Expenses.

"Single Family Property" means buildings containing one dwelling unit located on a single lot that are individually owned, including attached or detached residences (i.e., townhome unit and/or condominium units).

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2021-1 designated as Developed Residential Property.

"Undeveloped Residential Property" means all Parcels of Residential Property within the boundaries of CFD No. 2021-1 that are not Developed Residential Property, as determined by the Administrator.

"Unit" means an individual single family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure.

CATEGORIZING PARCELS FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels within CFD No. 2021-1, and each parcel shall be classified as Developed Residential Property, Non-Residential Property, Public Property, or Undeveloped Residential Property, and shall be subject to the levy of annual Special Taxes determined pursuant to Sections C and D below.

B. MAXIMUM SPECIAL TAX RATE

All Taxable Property within the CFD No. 2021-1 shall be subject to a Maximum Special Tax that will be levied each Fiscal Year to pay for Authorized Services. As discussed above, the Administrator shall rely first on the Land Use Designation for a Parcel to determine the appropriate Maximum Special Tax in **Table 1**, below, but, in the absence of an assigned Land Use Designation, the Administrator shall refer to the Zoning Designation and land use to be built on the Parcel. The following Maximum Special Tax rates apply to all Parcels of Developed Property within CFD No. 2021-1:

Each Residential Unit is subject to the Maximum Special Tax shown in **Table 1**, below.

Non- Residential Property, Undeveloped Property, and Public Property is not subject to the Maximum Special Tax.

Table 1

Property Land Use	Fiscal Year 2020/21 Maximum Special Tax Amount *
Single Family Property	\$467.10 per Single Family Residential Unit
Multi-Family Property	\$340.70 per Multi-Family Residential Unit
Undeveloped Residential Property	\$0 per Assessor's Parcel

* Beginning July 1, 2021 and each July 1 thereafter, all of the Maximum Special Taxes shown in **Table 1** above shall be adjusted by applying the Annual Tax Escalation Factor.

C. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

Each Fiscal Year, the Administrator shall levy the Maximum Special Tax on each Parcel of Developed Property in CFD No. 2021-1. The Special Tax for CFD No. 2021-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes provided, however, that CFD No. 2021-1 may (under the authority of Government Code Section 53340) in any particular case bill the taxes directly to the property owner off the County tax roll, and the Special Tax will be equally subject to foreclosure if delinquent.

D. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property, Non-Residential Property, or Undeveloped Residential Property.

E. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2021-1 from time to time. The property to be annexed will be assigned to the appropriate Maximum Special Tax rate for the Tract or Tracts when annexed, as pursuant to California Government Code section 53339 et seq.

In certain cases, it may be determined that a potential property to be annexed may require a higher cost to provide City services than other areas of the City (e.g., if it possesses a large quantity of City- owned infrastructure that requires maintenance). As each annexation is proposed, the City may elect to prepare an analysis to determine the annual cost for providing Services, and may incorporate unique zones with varying Maximum Special Tax rates. Such zones may be referred to by reference to a letter or number on the boundary map, and adjust the rates in Table 1 of such annexation to reflect the applicable rates.

The City may adopt a future annexation area in the future and allow for annexation by unanimous written consent.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

G. TERM

The Special Tax shall be collected in perpetuity.

H. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

EXHIBIT C

City of Yuba City

Community Facilities District No. 2021-1

(Municipal Services)

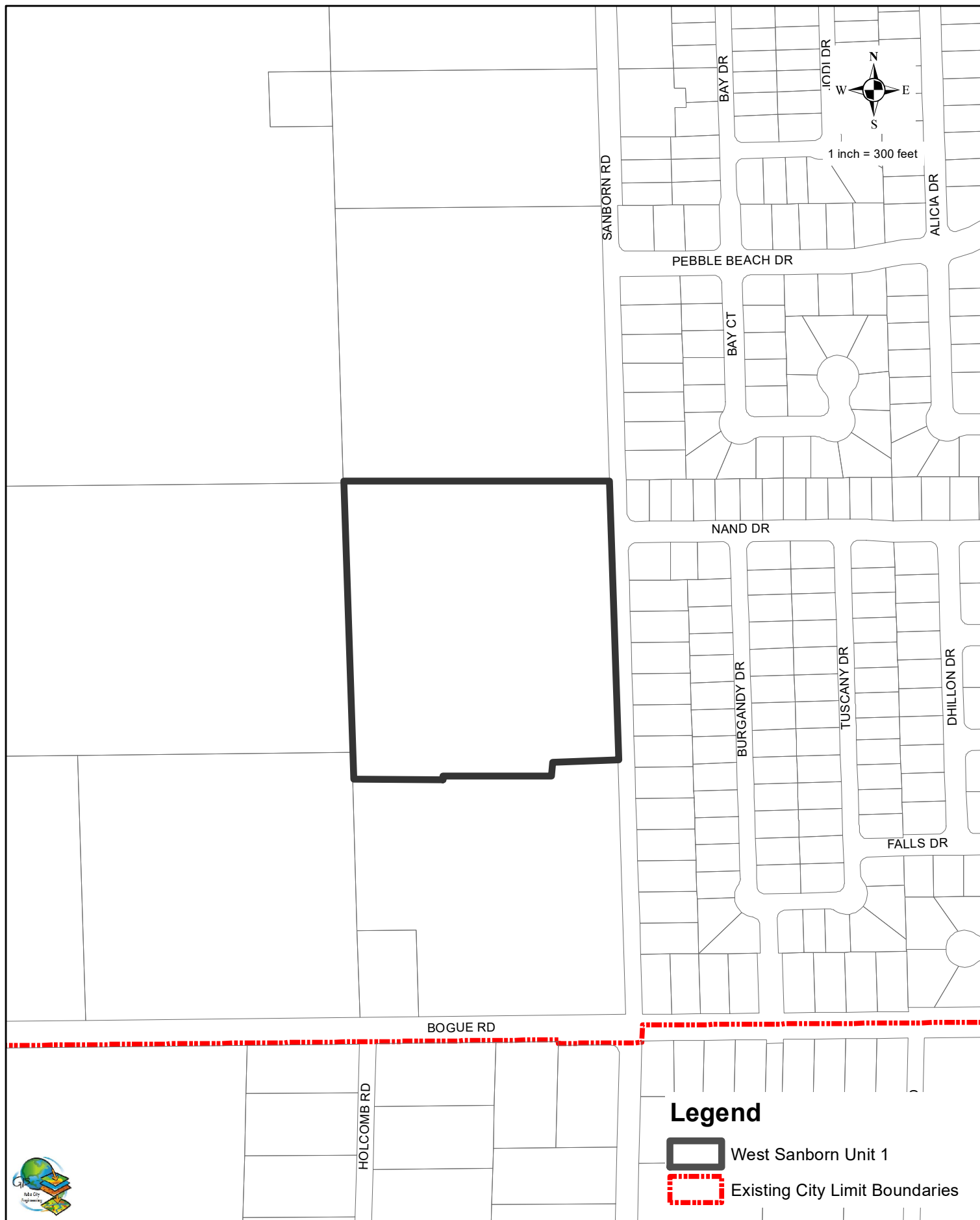
ANNEXATION MAP NO. 8 (WEST SANBORN UNIT 1 SUBDIVISION) OF YUBA CITY COMMUNITY

FACILITIES DISTRICT NO. 2021-1

(MUNICIPAL SERVICES), CITY OF YUBA CITY, STATE OF CALIFORNIA

[see attached]

Proposed Boundary Map of CFD No. 2021-1 Annexation No. 8
West Sanborn Unit 1 Subdivision
City of Yuba City, Sutter County, California



ATTACHMENT 2

EIGHTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

**City of Yuba City
Community Facilities District No. 2021-1
(Municipal Services)
Annexation No. 8 (West Sanborn Unit 1 Subdivision)**

Pursuant to the requirements of Sections 3114.5 and 3117.5 of the Streets and Highways Code and Government Code Section 53311, et seq., the undersigned City Clerk of the City of Yuba City, acting on behalf of City of Yuba City Community Facilities District No. 2021-1 (Municipal Services) (the "CFD"), HEREBY GIVES NOTICE that a lien is hereby imposed on taxable property within the property described herein Annexation No. 8 (West Sanborn Unit 1 Subdivision), which has been annexed to the CFD to secure payment of a special tax ("Special Tax") which the City Council of the City of Yuba City (the "City"), County of Sutter (the "County"), State of California, is authorized to annually levy for the following purpose of financing the following services:

- (a) Police protection services;
- (b) Fire protection and suppression services, ambulance and paramedic services;
- (c) maintenance of parks, parkways, streets, roads, and open space;
- (d) flood and storm protection services, including but not limited to the maintenance of storm drainage systems and sandstorm protection systems,
- (e) Services with respect to the removal or remedial action for the cleanup of any hazardous substance released or threatened to be released into the environment, subject to the limitations contained in Section 53313 of the Act;
- (f) Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency pursuant to an agreement entered into under Section 53316.2; and
- (g) costs incurred by the City and or County in formation of the district, annexation and annual contract administration.

The services include operational and maintenance costs associated with providing such services.

The Special Tax is authorized to be levied within the CFD that has now been officially formed and includes Annexation No. 8 (West Sanborn Unit 1 Subdivision) and the lien of the Special Tax is a continuing lien which shall secure each annual levy of the Special Tax and which shall continue in force and effect until the special tax obligation is prepaid, if applicable, permanently satisfied, and canceled in accordance with law or until the Special Tax ceases to be levied and a notice of cessation of Special Tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is as follows: The rate and method of apportionment of the authorized Special Tax is as shown in the Rate and Method of Apportionment set forth on Exhibit A attached hereto and incorporated herein by this reference (the "Rate and Method"). The Special Tax shall be collected in the same manner as ordinary ad valorem property taxes and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, the CFD may utilize a direct billing procedure for any Special Taxes that cannot be collected on the County tax roll or may elect to collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are as follows: The Special Tax is levied perpetually as provided in the Rate and Method and there are no conditions upon which it may be prepaid.

Notice is further given that upon the recording of this notice in the Office of the County Recorder of Sutter County, the obligation to pay the Special Tax levy shall become a lien upon all non-exempt real property within the area of Annexation No. 8 (West Sanborn Unit 1 Subdivision) in accordance with Sections 3114.5, 3115.5 and 3117.5 of the Streets and Highways Code.

The (a) names of the owner(s) of the real property included within the annexed property to the CFD as they appear on the last secured assessment roll as of the date of recording of this Notice and (b) the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within Annexation No. 8 (West Sanborn Unit 1 Subdivision) to the CFD and not exempt from the special tax, are as set forth on the attached, referenced and incorporated Exhibit B.

Reference is made to the boundary map of the Annexation No. 8 (West Sanborn Unit 1 Subdivision) to the CFD recorded concurrently herewith in the Book _____ at Page _____ of Maps of Assessment and Community Facilities Districts in the Office of the County Recorder for the County of Sutter, State of California, which map is now the final boundary map of Annexation No. 8 (West Sanborn Unit 1 Subdivision) to the CFD. The Boundary Map of the original district is Recorded as Document No. 2021-0012517 in Book 3 of Assessment and Community Facilities Districts at Pages 93 through 96, in the Office of the County Recorder of the County of Sutter, State of California.

Reference hereby is made to the Amendment to Notice of Special Tax Lien to the CFD recorded as Document No. 2021-0012518 in the Records of the County Recorder of the County of Sutter.

For further information concerning the current and estimated tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the City of Yuba City, City Hall, Finance Director, 1201 Civic Center Boulevard Yuba City, California 95993, telephone number 530/822-4618

Dated: As of _____, 2025

By: Ciara Wakefield, City Clerk
City of Yuba City

EXHIBIT A

See Rate and Method of Apportionment Attached

(Insert RMA)

**CITY OF YUBA CITY
COMMUNITY FACILITIES DISTRICT NO. 2021-1
(MUNICIPAL SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2021-1 (Municipal Services) [herein "CFD No. 2021-1"] shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2021-1, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2021-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acreage" or "Acre" means the land area making up an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map or other parcel map recorded at the County Recorder's Office.

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Tax, including salaries of City employees and fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the CFD No. 2021-1 as determined by the Finance Director.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Rate and Method of Apportionment of Special Tax.

"Annual Tax Escalation Factor" means an annual increase in the Maximum Special Tax following the Base Year in an amount not to exceed four percent (4%). The Annual Tax Escalation Factor shall be based on the budgeted escalation of the City of Yuba City's combined Police and Fire Departments from the previous fiscal year.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor designating parcels by Assessor's Parcel number.

"Authorized Services" means the public services authorized to be funded by CFD No. 2021-1 as set forth in the documents adopted by the City Council when the CFD No. 2021-1 was formed.

"Base Year" means Fiscal Year 2020-2021.

"City" means the City of Yuba City.

"City Council" means the City Council of the City of Yuba City, acting as the legislative body of CFD No. 2021-1.

"County" means Sutter County, California.

"Developed Residential Property" means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential structure was issued prior to June 30 of the preceding Fiscal Year.

"Finance Director" means the Finance Director for the City or his or her designee or successor.

"Fiscal Year" means the period starting on July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax determined in accordance with Section C below that can be levied on Taxable Property in any Fiscal Year.

"Multi-Family Property" means, in any Fiscal Year, all units in CFD No. 2021-1 for which a building permit was issued or may be issued for construction of a residential structure with multiple units that share common walls, all of which are offered for rent to the general public.

"Public Property" means any property within the boundaries of CFD No. 2021-1 that is owned by the federal government, State of California, County, City, or other public agency.

"Residential Unit(s)" means an individual lot of land for which a building permit could be issued to construct one or more residential dwelling units.

"Residential Property" means all Assessor's Parcels of Taxable Property for which a map has been recorded designating individual Residential Units.

"Non-Residential Property" means all Assessor's Parcels of Taxable Property within the boundaries of CFD No. 2021-1 for which a map has been recorded designating the Assessor's Parcel as a lot for which a building permit could be issued and the Assessor's Parcel cannot be classified as a Residential Property.

"Special Tax" means any tax levied to pay for Authorized Services and Administrative Expenses.

"Single Family Property" means buildings containing one dwelling unit located on a single lot that are individually owned, including attached or detached residences (i.e., townhome unit and/or condominium units).

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2021-1 designated as Developed Residential Property.

"Undeveloped Residential Property" means all Parcels of Residential Property within the boundaries of CFD No. 2021-1 that are not Developed Residential Property, as determined by the Administrator.

"Unit" means an individual single family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure.

CATEGORIZING PARCELS FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels within CFD No. 2021-1, and each parcel shall be classified as Developed Residential Property, Non-Residential Property, Public Property, or Undeveloped Residential Property, and shall be subject to the levy of annual Special Taxes determined pursuant to Sections C and D below.

B. MAXIMUM SPECIAL TAX RATE

All Taxable Property within the CFD No. 2021-1 shall be subject to a Maximum Special Tax that will be levied each Fiscal Year to pay for Authorized Services. As discussed above, the Administrator shall rely first on the Land Use Designation for a Parcel to determine the appropriate Maximum Special Tax in **Table 1**, below, but, in the absence of an assigned Land Use Designation, the Administrator shall refer to the Zoning Designation and land use to be built on the Parcel. The following Maximum Special Tax rates apply to all Parcels of Developed Property within CFD No. 2021-1:

Each Residential Unit is subject to the Maximum Special Tax shown in **Table 1**, below.

Non- Residential Property, Undeveloped Property, and Public Property is not subject to the Maximum Special Tax.

Table 1

Property Land Use	Fiscal Year 2020/21 Maximum Special Tax Amount *
Single Family Property	\$467.10 per Single Family Residential Unit
Multi-Family Property	\$340.70 per Multi-Family Residential Unit
Undeveloped Residential Property	\$0 per Assessor's Parcel

* Beginning July 1, 2021 and each July 1 thereafter, all of the Maximum Special Taxes shown in **Table 1** above shall be adjusted by applying the Annual Tax Escalation Factor.

C. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

Each Fiscal Year, the Administrator shall levy the Maximum Special Tax on each Parcel of Developed Property in CFD No. 2021-1. The Special Tax for CFD No. 2021-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes provided, however, that CFD No. 2021-1 may (under the authority of Government Code Section 53340) in any particular case bill the taxes directly to the property owner off the County tax roll, and the Special Tax will be equally subject to foreclosure if delinquent.

D. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property, Non-Residential Property, or Undeveloped Residential Property.

E. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2021-1 from time to time. The property to be annexed will be assigned to the appropriate Maximum Special Tax rate for the Tract or Tracts when annexed, as pursuant to California Government Code section 53339 et seq.

In certain cases, it may be determined that a potential property to be annexed may require a higher cost to provide City services than other areas of the City (e.g., if it possesses a large quantity of City- owned infrastructure that requires maintenance). As each annexation is proposed, the City may elect to prepare an analysis to determine the annual cost for providing Services, and may incorporate unique zones with varying Maximum Special Tax rates. Such zones may be referred to by reference to a letter or number on the boundary map, and adjust the rates in Table 1 of such annexation to reflect the applicable rates.

The City may adopt a future annexation area in the future and allow for annexation by unanimous written consent.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

G. TERM

The Special Tax shall be collected in perpetuity.

H. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the decision of the Administrator requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) to compensate for the overpayment of the Special Tax.

EXHIBIT B

APN	OWNER
65-020-013	FOR California Development LLC, a Delaware limited liability company

CITY OF YUBA CITY
STAFF REPORT

Date: June 3, 2025
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Scarlett Harris, Administrative Analyst

Summary

Subject: Utilities Instrumentation Services Agreement Amendment
Recommendation: Adopt a Resolution authorizing amendment of the Professional Services Agreement with TM Process Controls, Inc. of Elk Grove, CA for additional instrumentation and related services for utilities treatment facilities in the additional amount of \$75,000 for a total fiscal year award of \$275,000, with the finding that it is in the best interest of the City
Fiscal Impact: \$75,000 – Water and Wastewater CIP and Operating Budgets

Purpose:

To provide necessary authorization for additional instrumentation professional and technical services for the utilities treatment plants exceeding the award in the annual Citywide sole source purchase item.

Council's Strategic Goal:

This item addresses Council's strategic goals of *Fiscal Responsibility* and *Infrastructure* by providing the necessary continuous maintenance and improvement needs for the City's utilities electronic infrastructure in a cost-effective and efficient manner.

Background:

The water and wastewater treatment processes and equipment are monitored by complex electronic and instrumentation systems, including the Supervisory Control and Data Acquisition system (SCADA). Public Works has partnered with several consultants and contractors in recent years to support and upgrade the instrumentation system at both plants, including as part of the WWTF Improvements Project completed in 2021. The Department has determined that TM Process Controls, Inc. (TMPC) of Elk Grove, CA provides the quality, specificity, and availability of services necessary to maintain this electronic infrastructure in a manner not found in comparable consultants and contractors.

At the Department's recommendation, Council approved a sole source award of professional and technical services in the estimated amount of \$200,000 for support of electrical, SCADA, and instrumentation systems at the Water and Wastewater Treatment Facilities as part of the annual Fiscal Year 24/25 Citywide purchasing item on June 18, 2024. Subsequently, the City entered into a Professional Services Agreement with TMPC on July 16, 2024 to authorize the projects and services necessary to support the utilities treatment facilities throughout the fiscal year.

Analysis:

Throughout the fiscal year, TMPC has been an excellent partner in both the recurring maintenance of the water and wastewater treatment systems and addressing the SCADA updates remaining from the WWTF Improvements Project. However, the volume of work and associated costs are projected to exceed the Department's original estimate provided in spring 2024. Public Works recommends that Council authorize an amendment to the Professional Services Agreement to award an additional \$75,000 to continue ongoing projects and address any unanticipated maintenance needs for the remainder of the fiscal year (Exhibit 1A).

The Fiscal Year 25/26 Citywide sole-source item requests for TMPC will be updated to match the adjusted request, based on projected need and current pricing.

Fiscal Impact:

The Department requests an additional \$75,000 for various ongoing projects and maintenance services with TMPC, for a fiscal year total of \$275,000. There are sufficient funds available in the water and wastewater CIP and operating budgets to fund all necessary work for the remainder of Fiscal Year 24/25. Therefore, no supplemental appropriation is required and there are no required changes to the adopted operating or CIP budgets.

Alternatives:

1. Direct staff to delay any needed services until next fiscal year.
2. Direct staff to issue a request for proposals for future instrumentation projects on an individual basis.

These alternatives will likely result in maintenance response delays and inconsistent services, without cost benefit.

Recommendation:

Adopt a Resolution authorizing amendment of the Professional Services Agreement with TM Process Controls, Inc. of Elk Grove, CA for additional instrumentation and related services for utilities treatment facilities in the additional amount of \$75,000 for a total fiscal year award of \$275,000, with the finding that it is in the best interest of the City.

Attachments:

1. Resolution - Utilities Instrumentation Services Agreement Amendment
2. Exhibit 1A - Amendment to Professional Service Agreement July 16, 2024

Prepared By:

Scarlett O. Harris
Public Works Administrative Manager

Submitted By:

Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING
AMENDMENT OF THE PROFESSIONAL SERVICES AGREEMENT WITH TM
PROCESS CONTROLS, INC. FOR ADDITIONAL INSTRUMENTATION AND
RELATED SERVICES FOR UTILITIES TREATMENT FACILITIES IN THE AMOUNT
OF AN ADDITIONAL \$75,000**

WHEREAS, the City of Yuba City requires ongoing maintenance and improvements to its electronic and instrumentation systems, including the Supervisory Control and Data Acquisition system (SCADA), for monitoring the water and wastewater treatment processes and equipment; and

WHEREAS, the City Public Works Department requires the support of competent and reliable consultants and contractors to provide the necessary professional and technical services for support of these systems; and

WHEREAS, TM Process Controls, Inc. of Elk Grove, CA has provided quality and efficient instrumentation services for support of the utilities treatment facilities throughout Fiscal Year 24/25; and

WHEREAS, on June 18, 2024, the City Council approved a sole source award of professional and technical services to TM Process Controls, Inc. in the amount of \$200,000 as part of the annual Fiscal Year 24/25 Citywide purchase item; and

WHEREAS, the necessary volume of work and associated costs to support both the recurring maintenance and critical improvements through the fiscal year are projected to exceed the Department's original estimate; and

WHEREAS, the City desires to purchase of additional professional and technical services for support of the Water and Wastewater Treatment Facilities to TM Process Controls, Inc. of Elk Grove, CA in the amount of \$75,000, for a total fiscal year award of \$275,000, and enter into an amended agreement to effectuate the same.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City authorizes the City Manager to enter into an amendment of the Professional Services Agreement dated July 16, 2024, with TM Process Controls, Inc., for an additional \$75,000 for instrumentation systems and electrical and SCADA support at the Water and Wastewater Treatment Facilities, for a total compensation of \$275,000, which amendment is attached hereto. The City Manager is authorized to make any non-material modifications to the amendment subject to approval as to legal form by the City Attorney. The City Council finds that this amendment is in the best interests of the City.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 3rd day of June 2025.

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNCIL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment:

1. Exhibit 1A – Amendment to Professional Services Agreement

EXHIBIT 1A

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "First Amendment") dated July 16, 2024 is made and entered into this 3rd day of June, 2025 by and between the CITY OF YUBA CITY, a municipal corporation (herein "City") and TM PROCESS AND CONTROLS INC. (herein "Consultant").

RECITALS

WHEREAS, City and Consultant entered into that certain Agreement entitled "Professional Services Agreement" (the "Agreement") on or about July 16, 2024; and

WHEREAS, it is the desire of the City and the Consultant to amend the Agreement, as set forth in this First Amendment, to: i) amend the "Compensation" section of the Professional Services Agreement for an additional \$75,000 for instrumentation systems and electrical and SCADA support at the Water and Wastewater Treatment Facilities.

AGREEMENT

NOW, THEREFORE, it is hereby agreed that the Agreement is amended in the following particulars only:

SECTION 1. Section 3 of the Agreement, "Compensation" shall be amended to read as follows (additions in underline and deletions in ~~striketrough~~):

3. Compensation. Compensation to be paid to Consultant shall be in accordance with the Schedule of Charges set forth in Exhibit A, which is attached hereto and incorporated herein by reference. In no event shall Consultant's compensation exceed ~~two hundred thousand dollars (\$200,000)~~ two hundred seventy five thousand dollars (\$275,000) without additional written authorization from the City. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the City at the time of payment

SECTION 2. Except as expressly provided for in this First Amendment all other provisions of the Agreement shall remain in full force and effect.

///

IN WITNESS WHEREOF, the parties have executed and entered into this First Amendment as of the date first written above.

CITY:
City of Yuba City

By: _____
Robert Bendorf, Interim City Manager

Attest:

By: _____
Ciara Wakefield, City Clerk

Approved as to Form:

By: _____
Shannon Chaffin, City Attorney

CONSULTANT:
TM Process And Controls Inc.

By: _____
Name:
Title:

[END OF SIGNATURES]

CITY OF YUBA CITY
STAFF REPORT

Date: June 3, 2025
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Fleet Maintenance Budget Adjustments
Recommendation: Authorize the Finance Director to make a supplemental appropriation and related transfers from various City divisions to the Fleet Maintenance Division operating budget in the amounts of \$110,000 to Account No. 6605-63512 (Vehicle Outside Repairs) and \$40,000 to Account No. 6605-63513 (Specialty Equipment Outside Repairs) for fleet repair services for the remainder of Fiscal Year 24/25
Fiscal Impact: \$150,000 – Account No. 63501 (Vehicle Maintenance ISF) from 21 divisions per Attachment 1

Purpose:

To provide necessary additional funding to sustain essential internal services provided by the Fleet Maintenance Division through the end of the fiscal year.

Council's Strategic Goal:

This item addresses the Council's strategic goals of *Fiscal Responsibility* and *Public Safety* by providing the necessary funding for the Fleet Maintenance Division's support of City operations, including Fire, Police, and Public Works.

Background:

The City's Fleet Maintenance Division in the Public Works Department is responsible for maintaining the majority of the City's vehicles and specialty equipment. This includes in-house services and coordination of external services for all departments, especially those critical to public safety. The Fleet Maintenance operating budget (Account No. 6605) ensures that the City can efficiently coordinate the repair of priority equipment for the City's various departments. A shortage of adequate funding for parts and labor compromises both emergency repairs and regular maintenance schedules, which could lead to increased downtime, costly repairs, and potential safety hazards for our employees and the community.

Throughout the past year, Fleet has experienced rising parts and service costs and unanticipated maintenance costs that have strained the FY 24/25 budget allocation. Recently, two long-standing vacancies were filled within the City's Fleet Maintenance Division, aiming to improve labor efficiency and lessen repair times. These combined factors have placed considerable strain on the FY 24/25

budget, resulting in the significant shortfall for the remainder of the fiscal year.

Staff requests transferring additional funds into the operating budget in order to address the urgent maintenance needs, conduct preventive maintenance on schedule, and uphold the operational readiness of our fleet.

Analysis:

Fleet's operating budget is an internal service fund, which is shared proportionately across all departments based on the percentage of service efforts provided to each department during the prior calendar year. Staff calculated the department cost shares to meet the projected shortfall amount by utilizing the same cost formulas used to determine the Fiscal Year 24/25 Vehicle Maintenance budget (Attachment 1). This maintains consistency with the City's accounting practices and cost sharing through the entire fiscal year; the actual maintenance and repairs funded by these transfers in calendar year 2025 will then be used to calculate equitable cost appropriation in Fiscal Year 26/27.

Fiscal Impact:

The net projected budgetary shortfall for Fiscal Year 24/25 is \$150,000, after utilizing any available budgeted funds. The Public Works and Finance Departments recommend the costs be apportioned per Attachment 1 in the amounts of \$110,000 to Account No. 6605-63512 (Vehicle Outside Repairs) and \$40,000 to Account No. 6605-63513 (Specialty Equipment Outside Repairs) for fleet repair services for the remainder of Fiscal Year 24/25.

Alternatives:

Do not authorize the Finance Director to make the supplemental appropriation and transfers. This will likely result in substantial delays in both emergency and preventative maintenance through the remainder of the fiscal year which may impact critical services.

Recommendation:

Authorize the Finance Director to make a supplemental appropriation and related transfers in the amount of \$150,000 from various City divisions to the Fleet Maintenance Division operating budget (Account No. 6605) for vehicle and equipment services for the remainder of Fiscal Year 24/25.

Attachments:

1. Attachment 1 - Vehicle Maintenance Fund Supplemental Appropriation Cost Shares - FINAL

Prepared By:
Mylaina McMurray
Administrative Analyst I

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

Fleet Maintenance Division - Vehicle Maintenance Fund

2025			
Fund	Expenditures	Percentage	FY 24/25 Shortfall
			Fund Expenditures Percentage Supplemental Appropriation
1530	14,418.33	1.9550%	2,883.67
1541	2,128.23	0.2886%	425.65
1905	479.48	0.0650%	95.90
1920	1,524.61	0.2067%	304.92
1930	-	0.0000%	-
2110	18,885.98	2.5608%	3,777.20
2120	5,878.34	0.7971%	1,175.67
2130	28,973.20	3.9285%	5,794.64
2140	211,222.41	28.6400%	42,244.48
2150	-	0.0000%	-
2155	-	0.0000%	-
2305	5,894.15	0.7992%	1,178.83
2310	144,749.77	19.6268%	28,949.95
3130	72,521.28	9.8333%	14,504.26
3150	23,510.38	3.1878%	4,702.08
5110	2,958.07	0.4011%	591.61
5115	73,796.56	10.0062%	14,759.31
6605	32,932.60	4.4654%	6,586.52
7110	32,092.82	4.3515%	6,418.56
7120	8,081.89	1.0958%	1,616.38
7210	-	0.0000%	-
7310	-	0.0000%	-
7410	8,602.96	1.1665%	1,720.59
8110	30,508.90	4.1367%	6,101.78
8120	17,148.83	2.3252%	3,429.77
8140	1,200.78	0.1628%	240.16
	\$ 737,509.57		147,501.93

CITY OF YUBA CITY

Future Agenda Items

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

CITY OF YUBA CITY

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

City Manager's Report

CITY OF YUBA CITY

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

City Council Reports

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

Adjournment