

**JANUARY 10, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 8:00 P.M.**

COUNCIL MEMBERS PRESENT: R. Coe, L. McIntosh, J. Pendergraph, P. Shelton R. West
A. Teter

OTHERS PRESENT: J. Goodwin, City Manager
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
D. Sylvester, Police Chief
A. Paquette, Fire Chief
S. Wong, Finance Director
D. Klever, Public Works Director
L. Thomason, City Clerk
J. Johnson, Account Clerk

PLEDGE OF ALLEGIANCE: Council Member R. West led the pledge of allegiance.

PUBLIC COMMENT

None.

****It was moved by Vice Mayor R. Coe, Seconded by Council Member L. McIntosh to add an agenda item titled consideration of a proposal to make technical corrections to the text of the previously adopted General Plan Amendment, consistent with Assembly Bill 2140 and the incorporation of the adopted local hazard mitigation plan into the Health and Safety Element of the General Plan. Vote called – AYES: All. Motion carried.**

Community Development Director Tim Raney presented the staff report for consideration of a proposal to make technical corrections to the text of the previously adopted General Plan Amendment, consistent with Assembly Bill 2140 and the incorporation of the adopted local hazard mitigation plan into the Health and Safety Element of the General Plan. On November 22, 2022, the Wheatland City Council voted to give staff direction to prepare a technical correction to the general plan amendment to include language in the City's Health and Safety Element regarding the local hazard mitigation plan (LHMP) for compliance with AB 2140. AB 2140 was passed in 2006 and allows California counties and cities to adopt a current, FEMA-approved, local hazard mitigation plan (LHMP) into the Health and Safety Element of the General Plan. By adopting a LHMP into the Health and Safety Element, the City is eligible to be considered for part or all its local-share costs eligible Public Assistance funding to be provided by the State through the California Disaster Assistance Act (COM). After a disaster occurs, the usual local share by the City or County is 25 percent of the total project cost. However, the COM allows the state to pay up to 18.75 percent of the non-federal, local share cost. Counties and cities that are AB 2140 compliant will be eligible to be considered for the remaining 6.25 percent local share to also be funded by the State. AB 2140 is not a requirement. It is an optional state incentive to help counties and cities become more resilient to natural hazards. The City's updated 2021 LHMP was previously approved by FEMA and adopted by City Council on January 25, 2022. This non-substantive amendment to the

general plan is to include language reflecting that the City has taken these actions. Planning Commission review of this proposed amendment is not required. (Gov. Code §§ 65353, 65356; see also Wheatland Municipal Code § 17.01.130.) Because this action will not affect the permitted uses or intensity of uses of real property or substantially amend the contents of the general plan, the notice requirements of Government Code section 65352 and 65353, subd. (b), do not apply. In order to be AB 2140 compliant, the City's current 2021 LHMP must be incorporated into the Health and Safety Element by resolution via a general plan amendment adopted by the Wheatland City Council. As a result, staff has prepared a resolution to amend the City's Health and Safety Element and incorporate the following language: *The Local Hazard Mitigation Plan (LHMP) for the City of Wheatland planning area was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and, followed FEMA's 2011 Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The City of Wheatland LHMP can be found online using the following link: <http://www.wheatland.ca.gov/departments/police/>*

Motion was made by Council Member P. Shelton, Seconded by Vice Mayor R. Coe to **adopt Resolution No. 03-23 Approving a General Plan Amendment to the City of Wheatland Health and Safety Element**. Voted called – AYES: All. Motion carried.

CONVENE MEETING OF THE WHEATLAND FINANCING CORPORATION

1) Motion was made by Vice Mayor R. Coe, Seconded by Council Member A. Teter to **approve minutes of the meeting on December 7, 2021**. Vote called – AYES: All. Motion carried.

2) Motion was made by Council Member P. Shelton, Seconded by Vice Mayor R. Coe to **designate the Mayor as President of the Corporation, the Vice Mayor as Vice President of the Corporation, the City Clerk as Secretary/Treasurer of the Corporation, and the Senior Account Clerk as Assistant Secretary/Treasurer of the Corporation**. Vote called – AYES: All. Motion carried.

CONSENT CALENDAR

It was moved by Council Member P. Shelton, Seconded by Vice Mayor R. Coe to **approve minutes from the November 22, 2022 regular council meeting; council Committee and Board Appointments; Resolution No. 02-23 Accepting the Work Performed by CO-T Construction, Inc. for the Spruce Park Renovation Project and Authorizing the City Clerk to file a Notice of Completion for the Project and Addendum to City of Wheatland and Silver HR, LLC Agreement for City Manager 2022 Evaluation Form**. Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) Community Development Director Tim Raney presented the staff report for consideration of appointment to the Wheatland Planning Commission. Pursuant to Section 2.20.030 of the Wheatland Municipal Code, the City of Wheatland Planning Commission is comprised of five (5) members appointed by a majority vote of the City Council. As a result, the Wheatland Planning Commission currently has three vacancies. The Wheatland City Clerk has noticed the three Planning Commission vacancies on the City's website as well as the City's posting boards. The City Clerk has received four applications. Debbie Panteloglew, Scott Witt, David Pesenti, and Kenneth Thomason. Staff recommends

the City Council invite each applicant to stand before the Council during this meeting and present a one-minute statement as to why they wish to serve on the Wheatland Planning Commission. Following the applicant's statement, the City Council will be able ask the applicant questions for up to four minutes. In total, each applicant will have five minutes in front of the City Council. After all applicants have presented a statement and received questions, the City Council may consider the appointment of three applicants to the Planning Commission for four-year terms ending in December 2026.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member A. Teter to **appoint Debbie Panteloglow to another 4-year term as a Wheatland Planning Commissioner**. Vote called – AYES: All. Motion carried.

Motion was made by L. McIntosh, Seconded by Vice Mayor R. Coe to **appoint David Pesenti to a 4-year term as a Wheatland Planning Commissioner**. Vote called – AYES: All. Motion carried.

Motion was made by Council Member P. Shelton, Seconded by L. McIntosh to **appoint Ken Thomason to a 4-year term as a Wheatland Planning Commissioner**. Vote called – AYES: All. Motion carried.

2) City Manager Jim Goodwin presented the staff report for council consideration and adoption of resolution approving an employment agreement with Damiean Sylvester for position of Police Chief. Damiean Sylvester was appointed Wheatland Police Chief in January 2020. His initial three (3) year employment agreement expires on January 12, 2023. Consistent with the authority delegated to him under Wheatland Municipal Code section 2.06.030.B, the City Manager negotiated with Mr. Sylvester regarding the extension of the contract. Following negotiation, the City Manager proposes to extend the contract for three years ending on January 12, 2026. Pursuant to Resolution No. 01-23, the City Council confirms its approval of the employment agreement as negotiated by the City Manager.

Motion was made by Council Member P. Shelton, Seconded by Mayor R. West to **adopt Resolution No. 01-23 Approving First Amendment to Agreement Between the City of Wheatland and Damiean Sylvester for Police Chief Services**. Vote called – AYES: All. Motion carried.

REPORTS

- 1) Fire Chief A. Paquette reported that the Wheatland Fire Authority and Wheatland Police Department handled all 911 calls related to the storm.
- 2) Police Chief D. Sylvester reported on the new police vehicle.
- 3) Vice Mayor R. Coe reported on the solid waste meeting.
- 4) Mayor R. West reported on the YSEDC meeting and upcoming sewer ad-hoc committee meeting.
- 5) City Engineer D. Schilling reported on the upcoming East Wheatland Expressway meeting.

City Attorney Jennifer Buckman presented staff, council members and Planning Commissioner that were present (D. Pesenti and K. Thomason) with AB 1234 Ethics Training, Part I.

Meeting adjourned in memory of Bob Bradshaw at 8:00 p.m.

Minutes approved and adopted on this 10th day of February 28, 2023.

Rick West, Mayor

DRAFT