

**JANUARY 14, 2020 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30-7:17 P.M.**

COUNCIL MEMBERS PRESENT: **R. Coe, J. Henderson, L. McIntosh, J. Pendergraph, R. West

OTHERS PRESENT

J. Goodwin, City Manager
J. Buckman, City Attorney
D. Schilling, City Engineer
S. Mahoney, Finance Director
D. Sylvester, Police Chief
A. Paquette, Fire Chief
S. Riley, Deputy City Clerk

PLEDGE OF ALLEGIANCE:

Mayor R. West led the pledge of allegiance.

PUBLIC COMMENT

None.

PROCLAMATIONS

A Proclamation Commending Police Chief Allyn Wightman for his service as City of Wheatland Police Chief was presented.

A Proclamation Honoring David Creps was presented.

6:45 P.M. MEETING ADJOURNED FOR CLOSED SESSION

7:05 MEETING RECONVENED

No reportable action from the closed session.

**Council Member R. Coe excused himself from the remainder of the meeting.

CONSENT CALENDAR

Motion was made by Vice Mayor J. Pendergraph, Seconded by Council Member J. Henderson **to approve minutes from the regular City Council meeting on December 10, 2019; Council Committee and Board Appointments; Resolution No. 01-20 Supporting SACOG Proposed Green Means Go Pilot Program; Resolution No. 02-20 Accepting the Work Performed by Precision Earthworks Construction, Inc. for Construction for the Malone Culvert Replacement Project Phase 2 as Complete and Authorizing the City Clerk to File a Notice of Completion for the Project; Resolution No. 03-20 Public Works Director Contract Amendment and Resolution No. 04-20 Police Chief’s Contract.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

City Engineer Dane Schilling presented the staff report for formation of and appointments to Wastewater Treatment Alternatives Ad-Hoc Committee. The City's existing wastewater treatment plant was constructed in the 1960's and was designed to accommodate a population of approximately 8,000 to 10,000 residents. The plant's age, location and increasing regulatory requirements will make operating the plant and/or expanding the plant at its current location difficult and expensive. Most of the remaining capacity of the plant is committed to developers who have paid in advance to reserve sewer treatment capacity for their developments. Other developers interested in Wheatland have been highly discouraged by lack of available wastewater capacity, and the prospect of spending significant money and time to build more capacity in the City when other jurisdictions can provide immediate capacity. The lack of available wastewater capacity is the City's greatest impediment to growth as wastewater flows are projected to eventually increase to 3.82 MGD at buildout of the General Plan. On December 10, 2019, City staff presented a report on wastewater treatment alternatives and gave a brief oral presentation of the report. The report entitled City of Wheatland Wastewater Treatment Alternatives Analysis, November 2019 considered five alternative approaches to addressing the lack of wastewater treatment capacity, serving existing customers, and the relative capital costs and sewer rates associated with the two most feasible alternatives. At the conclusion of the December 10, 2019 meeting, Council directed staff to bring the item back to Council to form an Ad-Hoc committee and develop a plan to proceed in pursuing opportunities with Olivehurst Public Utilities District (OPUD) and Linda County Water District (LCWD) as recommended in the report. The mission of the Ad-Hoc Committee is to work toward securing the best possible long-term solution to the City's future wastewater treatment needs by: further exploring and developing the two alternatives recommended in the City of Wheatland Wastewater Treatment Alternatives Analysis report; consider timing of each alternative to accommodate growth; consider maximum future capacity available; compare connection fees and rates of each provider; perform a financial comparison of the OPUD and LCWD options; consider implications to current and future rate payers; identify a partner in either OPUD or LCWD for treatment of the City's wastewater and bring its recommendation to the full Council for review and action. The proposed Ad-Hoc Committee would be comprised of two Councilmembers, the City Manager and the City Engineer.

Motion was made by Council Member J. Henderson, Seconded by Council Member L. McIntosh to **direct the formation of the Wastewater Alternatives Ad-Hoc Committee and appoint Mayor R. West and Vice Mayor J. Pendergraph to collaborate with Staff in exploring and developing wastewater treatment opportunities, and negotiating with Olivehurst Public Utilities District (OPUD) and Linda County Water District (LCWD) on the City's behalf. Motion included an additional topic to the Wastewater Alternative Ad-Hoc Committee for discussion of decommissioning the City's existing Wastewater Treatment Plant.** Vote called – AYES: All. Motion carried.

PUBLIC HEARING

Finance Director Susan Mahoney presented the staff report for discussion of Mitigation Fee Act (AB 1600) Report for Fiscal Year 2019. Cities and counties often charge fees on new development to fund public improvements, public amenities and public services. These fees are commonly known as development impact fees (Developer Fees). In 1989, the State Legislature passed Assembly Sill 1600 (The Mitigation Fee Act) which added Section 66000 to the California Government Code. The chapter sets forth requirements that local agencies must follow if they are to collect fees from developers to defray the cost of the construction of public facilities related to development projects. A local jurisdiction must follow the process set forth in the bill and make certain determinations regarding the purpose and use of the fees and establish a "nexus" or connection between a development project and the public improvement being financed with the fee. The fee revenue must be segregated from the General Fund in order to avoid commingling of public improvement fees and the General Fund. If a local jurisdiction has had possession of a developer fee for five years or more and has not committed that money to a project or actually spent that money, then it must make findings describing the

continuing need for that money each fiscal year after the five years have expired. If a local jurisdiction cannot make the findings required under paragraph 3, then the city or county must go through a refund procedure. The City of Wheatland collects fees that qualify as Development Impact Fees and therefore must comply with the above referenced Government Code Section: ‘Sewer Collection*, Bear River Levee, Regional Bypass, Storm Drainage, Road Circulation, Wastewater Treatment, Water Distribution, City Hall Facilities, Vehicles and Equipment, Public Works Facilities, Law Enforcement Facilities, Fire Department Facilities, Parkland Facilities, Public Meeting Facilities’. AB 1600 does not apply to fees collected under development agreements. Sewer collection fees (\$7,007,000) received based on development agreements for the Heritage Oaks East, Heritage Oaks West, and Caliterra projects have been deducted from the Sewer Collection Impact Fee balance. As required by law, these fees are segregated and accounted for as Special Revenue Funds. Government Code Section 66001 requires the City to make available to the public certain information regarding these fees for each fund within 180 days after the end of each fiscal year. Accordingly, the Mitigation Fee Act (AB 1600) Report for Fiscal Year Ending June 30, 2019 report is presented to the City Council for review. As required by law, the Council must confirm by Resolution that: all unexpended development fee funds held in excess of five years are to construct the projects and purchase equipment identified in the Development Impact Fee Calculation and Nexus Report and the Master Facilities Plan for the City of Wheatland, both dated January 2007, and for the development impact fees related Wastewater Treatment Facilities and Wastewater Collection Facilities adopted in March 2008; there continues to be a reasonable relationship between the City's development impact fees and the projects defined in the studies referenced and the City anticipates collecting additional development fee revenue to construct and purchase the improvements and equipment described in the fee studies.

Council Member J. Henderson commented on updating the 2007 Master Facilities Plan
City Manager J. Goodwin commented on SB 2 monies.

PUBLIC COMMENT – None.

Motion was made by Vice Mayor J. Pendergraph, Seconded by Council Member L. McIntosh to **receive and file the Mitigation Fee Act (AS 1600) Report on Development Impact Fees for the fiscal year ending June 30, 2019 adopt Resolution 45-19 regarding Fees Collected for Public Facilities Related to Development and Remaining Unexpended After Five Years.** Vote called – AYES: All. Motion carried.

REPORTS

Fire Chief A. Paquette reported on the grant for a rescue boat.
City Manger J. Goodwin reported on the Appeal Democrat article related to the Yuba Water Agency.
City Clerk L. Thomason reported on filing annual Form 700.
Council Member J. Henderson reported on the Fire Fund with \$2,400 for National Fire Safety Council.
Finance Director reported on the upcoming Mid-Year Finance Report.
Mayor R. West reported on the LAFCo meeting and the OPUD annexation.

ADJOURN

There being no further business, Mayor R. West adjourned the meeting at 7:17 p.m.

Minutes approved and adopted this 28th day of January 2020.

Rick West, *Mayor*

Lisa J. Thomason, *City Clerk*

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