

**FEBRUARY 08, 2022, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
VIA ZOOM
6:00 – 6:50 P.M.**

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

OTHERS PRESENT: J. Goodwin, City Manager
T. Raney, Community Development Director
S. Mahoney, Finance Director
J. Buckman, City Attorney
D. Sylvester, Police Chief
A. Paquette, Fire Chief
L. Thomason, City Clerk

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

PUBLIC COMMENT:

None.

CONSENT CALENDAR

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **Reaffirm Resolution No. 34-21 Findings Related to the State of Emergency Due to Covid-19 Authorizing the City Manager to Continue to Implement Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361 (Stats. 2021. Ch. 165); Approval of appointments to the Board of Directors of the Feather River AQMD; Proclamation for Teen Dating Violence Awareness and Prevention Month, February 2022; American Rescue Plan Act, State and Local Fiscal Recovery Funds (SLFRF); Fiscal Year 2021 Audited Financial Report and Quarterly Investment Report September 30, 2021.** Vote called – AYES - All: Motion carried.

PUBLIC HEARING

1) Community Development Director Tim Raney presented the staff report for City Council consideration to approve the City of Wheatland 6th Cycle (2021-2029) Housing Element Update Initial Study/Negative Declaration (IS/NO) and adopt the draft Wheatland 6th Cycle (2021-2029) Housing Element Update. State Housing Element law (Government Code Section 65583) requires each local government entity to adopt a comprehensive long-term general plan for the physical development of their city or county. The housing element is one of the mandated elements composing the general plan. State law, through the housing element, addresses the existing and projected housing needs within all economic segments of the State's various communities, including the City of Wheatland. The legal mandate recognizes that in order for the private sector to adequately address housing needs, local governments must adopt land use plans and other planning programs to create opportunities that do not constrain development of affordable housing. Housing policy in the State is dependent on the effective development and implementation of local general plans and particularly housing elements. State law contains specific requirements for the preparation and content of housing elements. According to Article 10.6, Section 65580, the legislature has found that: The availability of housing is of vital

statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order; the early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels; The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government; local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community; and the legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments, and the state, in addressing regional housing needs. The City of Wheatland received grant funding from the California Department of Housing and Community Development's (HCD) Local Early Action Planning (LEAP) Grant for the preparation of Wheatland's 6th Cycle (2021-2029) Housing Element Update. An important component of the Housing Element is the identification of sites for future housing development and an evaluation of the adequacy of these sites in fulfilling the City's share of the Regional Housing Needs Allocation (RHNA), as determined by SACOG. The intent of the RHNA is to assure that every community provides an opportunity for a mix of affordable housing to all economic segments of its population. According to the U.S. Department of Housing and Urban Development (HUD), housing is classified as "affordable" if households do not pay more than 30 percent of income for payment of rent (including utilities) or monthly homeownership costs (including mortgage payments, taxes, and insurance). SACOG adopted their Regional Housing Needs Plan (RHNP) on November 21, 2019, which officially assigns the allocations to cities and counties in the six-county Sacramento region. SACOG's RHNP defines the lower income unit categories as follows: Low-Income Unit: is one that is affordable to a household whose combined income is at or between 50 and 80 percent of the median income and very Low-Income Unit: is one that is affordable to a household whose combined income is at or lower than 50 percent of the median income. The City of Wheatland 6th Cycle (2021-2029) Housing Element Update sets forth a number of specific goals as well as policies and programs describing how the City aims to reach the goals. The approval of the City of Wheatland 6th Cycle (2021-2029) Housing Element Update would enable the City to preserve, improve and develop housing for all incoming segments of the community and show how the City intends to meet the RHNA numbers assigned by SACOG. The total RHNA for Wheatland's 6th Cycle (2021-2029), as determined by SACOG, is 499 residential units. The 499 residential units include 232 above moderate-income units, 98 moderate income units, 64 low-income units, and 105 very low-income units. As part of the housing element update process, staff conducted a sites inventory analysis, which is an inventory of land suitable for residential development. The sites inventory analysis identified the City of Wheatland has over 112 acres of vacant land in the RE, R-1, R-3, C-2, and C-3 zones that can accommodate approximately 1,466 total residential units. However, staff has identified the need to rezone 10 acres of suitable land within the City to R-3, in order to accommodate the affordable housing requirements, set forth from HCD. As a result, staff has included the following program in the proposed 6th Cycle (2021-2029) Housing Element Update: The city shall rezone approximately 10 acres of land to the Multi-Family Residential Zone (R-3) to accommodate the city's 6th Cycle Regional Housing Needs Allocation of 105 Very Low and 64 Low income households. The City of Wheatland held public workshops on July 20, 2021 and August 3, 2021 to solicit public input and encourage public participation in the Housing Element Update process. Notice of the workshop was posted publicly on the City of Wheatland website and in the local newspaper to ensure that a variety of residents could attend. The city prepared an ISIND for the City of Wheatland 6th Cycle (2021-2029) Housing Element Update in accordance with the California Environmental Quality Act (CEQA). The ISIND determined that the City of Wheatland's 6th Cycle Housing Element Update is a policy-level document intended to assist the City of Wheatland in

meeting the housing needs established by the State of California, and would not cause development or redevelopment of specific projects within the City; therefore, the 6th Cycle Housing Element Update would not result in a significant impact on the environment. The public review period for the ISIND began on September 17, 2021, and ended on October 18, 2021. On January 18, 2022, the Wheatland Planning Commission heard staff's presentation and voted to recommend City Council approve the City of Wheatland 6th Cycle (2021-2029) Housing Element Update ISIND and adopt the draft Wheatland 6th Cycle (2021-2029) Housing Element Update.

Mayor R. West commented on the RHNQA number going up and after approved, what is next?

Public Comment

None.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **recommend that the Wheatland City Council hold the public hearing on the proposed Wheatland 6th Cycle (2021-2029) Housing Element Update, and upon close of the public hearing, adopt the attached resolution approving the City of Wheatland 6th Cycle (2021-2029) Housing Element Update IS/NO and adopting the draft Wheatland 6th Cycle (2021-2029) Housing Element Update.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for consideration to authorize the submittal of the HOME fund application for the First Street Senior Housing Project. The State of California, Department of Housing and Community Development (HCD) administers a federal program known as the HOME Investment Partnerships Program (HOME). HCD receives funds annually from the Federal Department of Housing and Urban Development (HUD) and sets them aside for eligible activities. On December 1, 2021, HCD issued a Notice of Funding Availability (NOFA) announcing the availability of funds under the HOME program. In 2021, city staff began working with Cameron Johnson of AMG & Associates LLC, to develop a 32-unit senior housing project located southwest of the intersection of First Street and E Street. The approximately 2.5-acre vacant site is identified as Yuba County Assessor Parcel Number (APN) 015-350-012. The vacant property is designated High-Density Residential (HDR) in the Wheatland General Plan and is currently zoned Multi-Family residential (R-3). The proposed use is permitted, and no discretionary approval is required for the proposed use. On March 23, 2021, the City Council committed to an impact fee loan for the project conditioned on the applicant's success in securing HOME funds for the project. The Regional Housing Authority will be the managing general partner of the First Street Senior Housing Project. As part of the HOME application, AMG & Associates are required to submit a market analysis for the project to support their conclusion that there is a demand for these units in our community. Cameron Johnson of AMG & Associates along with a representative of the Regional Housing Authority will be present to answer any questions. If awarded, the HOME application would provide up to \$7,150,000 in funds to the City to be loaned to the First Street Senior Housing Project. These funds would be paid back according to the HOME guidelines.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve Resolution No. 04-22 Authorizing Submittal of and Application to the California Department of Housing and Community Development for Funding Under the Home Investment Partnerships Program; and If selected, the Execution of a Standard Agreement, Any Amendments Thereto,**

and of Any Related Documents Necessary to Participate in the Home Investment Partnerships Program. Vote called – AYES: All. Motion carried.

2) City Manager Jim Goodwin presented the staff report for discussion and consideration to waive the first reading and introduce Ordinance No. 485 related to SB 1383 Implementation. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016 was passed by the Legislature and signed into law in 2016. The bill made significant changes to waste management requirements for local cities and counties. Pursuant to the joint powers agreement, the Regional Waste Management Association (RWMA) will implement many of the new provisions, but some will need to be implemented by the City. Accordingly, the City Attorney has prepared the draft Ordinance to integrate the statutorily mandated components of SB 1383 into the relevant provisions of the City's Municipal Code. The City's ordinance is based on a model ordinance provided by CalRecycle, as modified by RWMA consulting staff, to reflect conditions within the Yuba-Sutter region. Ordinance No. 485 does the following: Amends the City's existing "Green Building" Code to require compliance with Calgreen Building Standards Recycling Requirements; amends the City's existing landscaping standards to require compliance with the Model Water Efficient Landscaping Ordinance Requirements; adds new provisions requiring multi-family residential buildings and commercial construction projects to have readily accessible recycling bins and allows for inspection of those sites by City enforcement staff to ensure compliance with these CALGreen Building Standards and specifies that a violation of these requirements may be subject to fines of \$50 per violation for a first violation, \$100 per violation for a second violation and \$250 per violation for a third and subsequent violation and may be enforced pursuant to Chapter 1.18 of the Wheatland Municipal Code. Failing to adopt an ordinance with the statutorily mandated components may lead to an enforcement action against the City by CalRecycle.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member J. Pendergraph Council **waive the first reading and introduce Ordinance No. 485.** Vote called – AYES: All. Motion carried.

3) City Manager J. Goodwin presented the 2022 Presentation Series Session #2, Trends in Policing. Earlier this year your City Council requested that informational sessions be included on the City Council agenda in lieu of doing the annual planning meeting. As you are aware, in past years, prior to the COVID 19 Pandemic, the first Saturday in December was committed to a half-day planning meeting. Council will be receiving presentations, with opportunity for Q/A, in several subject areas over the next several meetings. The topics include Trends in Policing; Exploring the Value of Parks and Recreation; Capital Projects Overview and Economic Development 101. Wheatland Police Chief Damiean Sylvester are presenting trends in Policing.

Presentation only. No action required.

REPORTS

Fire Chief A. Paquette provided a progress report on the new Fire Engine.
Mayor R. West reported on the Sewer Ad Hoc Committee and Economic Development Committee meetings.

CLOSED SESSION

No reportable action.

There being no further business, Mayor R. West adjourned the meeting at 6:50 p.m.

Minutes approved and adopted on this 23rd day of August 2022.

Rick West, Mayor

Lisa J. Thomason, City Clerk

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