

**MARCH 9, 2021 MINUTES  
REGULAR WHEATLAND CITY COUNCIL MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:30 – 6:55 P.M.**

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

**OTHERS PRESENT:** J. Goodwin, City Manager  
S. Mahoney, Finance Director  
J. Buckman, City Attorney  
T. Raney, Community Development Director  
D. Sylvester, Police Chief  
K. Giurbino, Utility Billing Account Clerk

**PLEDGE OF ALLEGIANCE:** None.

**PUBLIC COMMENT:** None.

**CONSENT CALENDAR**

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve minutes from the regular City Council meeting on February 23, 2021 Item No. 3.2 was pulled from the consent calendar and Approval of Appointments to the Board of Directors of the Feather River AQMD.** Vote called – AYES; All. Motioned carried.

**REGULAR CALENDAR**

1) Finance Director Susan Mahoney presented the staff report to Council Fiscal year 2020-2021 Mid-Year Budget Review and amendment. The FY 2021 budget was adopted by Council on June 9, 2020. All funds were projected to be balanced except the General Fund and the Wastewater Fund. The General Fund budget reflected a slight decrease in sales and transactions tax revenue due to the pandemic and because the transactions tax was scheduled to expire on March 31, 2021, only nine months of transactions sales tax revenue was included in the budget. Council approved the use of one-third of the available transactions sales tax reserve (\$333,333) to balance the General Fund budget and maintain service levels. The General Fund is projected to have a net income of \$133,239 mainly due to the Wheatland voter's approval of an extension of the one-half cent transactions sales tax. The attached Mid-Year Budget Review provides detailed information on General Fund revenues and expenses. The projected net income provides the City with an opportunity to take advantage of potential Grant revenue that could not be considered when the FY 2021 budget was adopted last June. As a result, staff is recommending the following budget amendments: increase the Transactions Sales Tax budget by \$251,091 (from \$248,909 to \$500,000) to reflect the continuation of the one-half cent transactions sales tax measure adopted by voters in November 2020; set aside \$50,000 to meet the requirements for a Prop 68 Park Improvement Grant totaling \$177,000. The Grant will be used for site improvements at McDevitt Park (Park Place subdivision) and Wheatland Ranch Park and allocate \$35,000 to begin a feasibility analysis, preliminary site design, and preliminary cost estimates for construction of a community pool in anticipation of competing for a \$3 million Grant from the State Department of Parks

and Recreation, Rural Recreation and Tourism Program. In addition, staff will be recommending that the available contingent transactions sales tax reserve amount of \$333,333, originally allocated to balance the General Fund budget, be reallocated to establish a Vehicle Replacement Fund and a Computer Replacement Fund. A staff report and resolution will be presented for Council consideration at a later date. The staff report will include detailed information about the Replacement Funds. At mid-year, all Funds are projected to be on target with original budget projections except the Wastewater Fund. The Wastewater Fund is projected to be slightly lower than budgeted mainly due to the loss of penalty income and interest earnings. There are no fiscal impacts from receiving and filing the report. The adopted FY 2021 budget projected a General Fund net loss of \$211,822. At mid-year, the updated projection is a net income of \$133,239. Adopting Resolution 10-21 to provide funding for potential Park and Pool Grants will result in a projected General Fund net income of \$48,239.

Council Member L. McIntosh commented on negotiating with the School District for the location of the pool.

Council Member J. Pendergraph commented on water/sewer funds and balloon payments, Community Development budget, Finance Department budget and use of FMLA and Public Works software. Pendergraph added the County's software was damaged and wanted clarification the City's software is safe.

Mayor R. West cautioned Staff that the budgeted amount of \$333,333 does not be spent in its entirety.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe **to adopt Resolution 10-21 Amending the FY 2021 budget to reflect increased transactions sales tax revenue, set aside \$50,000 to meet requirements for a Park Improvement Grant, and allocate \$35,000 in anticipation of competing for a \$3 million Grant to construct a community swimming pool.** Vote called – AYES: All. Motion carried.

2) City Manager J. Goodwin presented the staff report for Council consideration of adoption of Resolution No. 11-21 amending the City of Wheatland Purchasing Policy. In July 2019, the City Council adopted Resolution 22-19 to establish purchasing policies. Resolution No. 11-21 makes amendments to the policy by removing professional services contracts from the requirements of the Purchasing Policy. Currently, for the City to enter into a new professional services agreement, the Purchasing Policy would require the City to undertake a Request for Qualifications (RFQ) process in most circumstances prior to selecting or awarding a contract to a consultant. Under state law, procuring professional services (special services and advice in financial, economic, accounting, engineering, legal, or administrative matters) is treated differently than the acquisition of goods, services, or construction contracts. In the latter, price is the determining factor (lowest qualified responsive and responsible bidder). With professional services, other factors are often considered including expertise, demonstrated competence, reputation, professional qualifications, confidence, working relationships, and urgency. While price is always considered prior to approving a contract, price is not the sole criteria used in the selection process. To take advantage of the more flexible provisions in the statutes, the City Attorney recommends amending the Purchasing Policy to exempt contracts for professional services.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member P. Shelton **to adopt Resolution No. 11-21 Amending the City of Wheatland Purchasing Policy.** Vote called – AYES: All. Motion carried.

3) City Manager J. Goodwin presented the staff report for Council consideration and Approval of Professional Services Agreement with Hill Rivkins Brown & Associates, PLC. for Special Counsel Services Related to Regional Wastewater Effort. On February 23, 2021, the City Council adopted Resolution 08-21, that, among other actions, approved funding for special legal counsel work specific to the City's participation in a proposed regional wastewater project. Because the City Attorney's firm also provides legal services to other agencies that may be involved in this regional effort, the City Attorney recommended that the City secure special outside counsel for this matter. Based on a referral from the City Attorney, Adam C. Brown was contacted and interviewed by the City Manager and then again by the two City Council members serving as the Ad-hoc Sewer Committee. Following both interviews, staff and the Ad-hoc Committee recommend entering into a Professional Services Agreement with Hill Rivkins Brown & Associates, PLC, for Adam C. Brown to provide special counsel services to the City in connection with the regional wastewater project.

City Attorney J. Buckman commented on the budget limit for the professional services agreement will not exceed \$25,000, if it does, a budget amendment is necessary.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member L. McIntosh **to approve Professional Services Agreement with Hill Rivkins Brown & Associates, PLC. for Special Counsel Services Related to Regional Wastewater Effort.** Vote called – AYES: All. Motion carried.

## REPORTS

Chief Sylvester met with School Superintendent for discussion of a grant that will partially pay for a resource officer at the High School.

Mayor R. West reported on the Sewer Ad Hoc Committee Meeting.

There being no further business, Mayor R. West adjourned the meeting at 6:55 p.m.

Minutes approved and adopted on this 23rd day of March 2021.

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Rick West, Mayor

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Lisa J. Thomason, City Clerk