

**MARCH 22, 2022, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 7:20 P.M.**

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

OTHERS PRESENT: J. Goodwin, City Manager
H. Jacobson, Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
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:

Pamela Walsh commented on Bishop Pumpkin Farm peak time, attendance, traffic enforcement and traffic stops, traffic cones signs, Bishop Pumpkin Farm ZOOM meeting, second access and calls from residents.

Chris Walsh commented on city hourly employees, traffic cones and stated he was directed to call 911 for incidents related to Bishop Pumpkin Farm traffic.

***CONSENT CALENDAR**

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve minutes from the March 8, 2022, meeting**. Vote called – AYES: All. Motion carried.

*Item No. 3.2, Bishop Pumpkin Farm 2021 Season Report, was pulled from the consent calendar

PUBLIC HEARING

1) City Manager Jim Goodwin presented the staff report for consideration to approve the resolution authorizing and directing the execution of a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority and approving the issuance of revenue bonds by the authority for the purpose of financing or refinancing the acquisition, construction, and improvement of certain facilities (Bear Ridge Family Apartments Affordable Housing Project) for the benefit of Wheatland Pacific Associates, a California Limited Partnership. Wheatland Pacific Associates (Borrower) requested that the CMFA serve as the municipal issuer of the Bonds in an aggregate principal amount not to exceed \$20,000,000 of tax-exempt revenue bonds. The proceeds of the Bonds are to be used to finance the acquisition, construction, improvement, and equipping of a multi-family rental housing project located at 1989 Spenceville Road, Wheatland, California. In order for all or a portion of the bonds to be tax-exempt bonds, the City of Wheatland must conduct a public hearing providing the members of the community an opportunity to speak for or against the use of tax-exempt bonds for the

financing of the project. Reasonable notice must be given to the members of the community before the TERFA Hearing. Following the close of the TERFA Hearing, an “applicable elected representative” of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project. The CMFA was created on January 1, 2004, pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The CMFA’s representatives and its Board of Directors have considerable experience in bond financings. In order for the CMFA to have the authority to serve as the issuer of the bonds for the Project, it is necessary for the City of Wheatland to become a member of the CMFA. A copy of the Joint Exercise of Powers Agreements is to be executed by a designated signatory of the City. The Joint Exercise of Powers Agreement provides that the CMFA is a public entity, separate and apart from each member executing such agreement. Under the terms of the Joint Exercise of Powers Agreement, the debts, liabilities and obligations of the CMFA do not constitute debts, liabilities or obligations of the members executing such agreement. The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower. Under the terms of the Joint Exercise of Powers Agreement, the City will have no financial or legal obligation, liability or responsibility the repayment of the Bonds for the financing of the Project. (Likewise, the City is not the developer of the Project, and it will have no financial or legal obligation, liability or responsibility for the Project itself.) All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the Borrower. There are no costs associated with membership in the CMFA and the City will not become exposed to any financial liability by reason of its membership in the CMFA. In addition, participation by the City in the CMFA will not impact the City’s appropriations limits and will not constitute any type of indebtedness by the City. Outside of holding the TERFA hearing, adopting the required resolution, and executing the Joint Exercise of Powers Agreement of the CMFA, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required. The Joint Exercise of Powers Agreement expressly provides that any member may withdraw from such agreement upon written notice to the Board of Directors of the CMFA. This means the City could, at any time after the Bonds are issued, withdraw from the CMFA merely by providing written notice to the Board of Directors of the CMFA. The fiscal impact to the City is expected to be slightly positive. The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the “Foundation”), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Wheatland, it is expected that that a portion of the issuance fee attributable to the City will be granted by the CMFA to the general fund of the City. Such grant may be used for any lawful purpose of the City.

Council Member L. McIntosh questioned the benefit to the City and if not approved by council will the project be stopped. Applicant responded yes. McIntosh also commented on withdrawing from the JPA and questioned if the Sunset Valley Duplex improvement project was refinanced by this method. Applicant responded the City may withdraw after the project is complete. T. Raney responded no. Mayor R. West commented the City is only becoming a member of the JPA.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member P. Shelton to **hold the public hearing under the requirements of the Tax and Equity Fiscal Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, and upon close of the public hearing, adopt**

Resolution No. 10-22 approving the issuance of the Bonds by the California Municipal Finance Authority (CMFA) for the benefit of Wheatland Pacific Associates. The resolution will also authorize the mayor or designee thereof to execute the Joint Exercise of Powers Agreement with the CMFA. Vote called – AYES: Pendergraph, Shelton, Coe and West. NOES: L. McIntosh. Motion carried.

Public Comment

None.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for the 2022 presentation series session #5, exploring the value of parks and recreation. Greg Melton from Melton Design Group presented council and audience members with power point slides. Community Development Director Tim Raney also presented power point slides. This agenda item was a presentation only and no action was required.

Council Member L. McIntosh commented on expediting the Highway 65 traffic light.
Council Member P. Shelton commented on the Drainage Master Plan and the Spruce and Toddler Parks.

2) City Manager Jim Goodwin presented the staff report for the 2022 City of Wheatland Community and Economic Development Action Program. In 2019, the City Council adopted the first Community and Economic Development Action Program. The program was updated in 2020. Due to the COVID 19 Pandemic, the City Council did not conduct annual planning sessions in December 2020 or December 2021. As a result, the program was not updated at all in 2021. The updates included in the draft 2022 plan are the result of removing completed projects from prior programs and including new projects that have been identified. The program's formatting has also changed to allow better tracking of target completion dates and progress. Goodwin provided a list of projects completed since adoption of the original program.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member J. Pendergraph to **adopt the 2022 City of Wheatland Community and Economic Development Action Program as presented.** Vote called – AYES: All. Motion carried.

3) City Engineer Dane Schilling presented the staff report for consideration to adopt a revised residential water meter standard. The City's Comprehensive Project is currently underway and includes several elements including a new municipal accounting and billing software system, new communication infrastructure and new state-of-the-art water meters. In 2020, City staff completed a thorough review and selection of the latest water meter technology available and selected its preferred water meter products and automation system. On September 22, 2020, the City Council authorized the City Manager to award contracts to Mueller Systems, LLC (Mueller) for the AMI system communications work. Additionally, on October 13, 2020, the City Council adopt Resolution No. 41-20 making a public interest finding for the sole source procurement of water meters and AMI endpoints supplied by Muller Systems, LLC for the City-wide AMI Water Meter Installation Project. On March 23, 2021, the City Council adopted Resolution No. 13-21 authorizing the City Manager to award a construction contract to Keystone Exteriors, LLC of Luzerne, Pennsylvania (dba. Keystone Metering Systems, Inc.) for construction of the Advanced Metering Infrastructure (AMI) Water

Service Meter Installation Project. This project involves changing out all of the City's existing water meters to the new meters selected in 2020. City staff recommends the City Council adopt a revised Public Works Construction Standard for residential water meters (Drawing W-3) to be consistent with recent upgrades occurring in the City's water meter infrastructure. The new detail will be applied to all new home construction occurring in Wheatland.

Mayor R. West questioned if meters are available, D. Schilling responded yes, however there is no ETA.

City Manager J. Goodwin commented the City has 50% of meters available.

Council Member L. McIntosh commented on the location of meter boxes.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member P. Shelton to **adopt a revised Public Works Construction Standard for residential water meters (Drawing W-3)**. Vote called – AYES: All. Motion carried.

4) Attorney Holly Jacobson presented the staff report for consideration to approve Amendment No. 1 to the Amended and Restated Agreement with Jim Goodwin for City Manager Services. The current Amended and Restated Agreement with Jim Goodwin for City Manager Services provides for the City Manager to work part-time hours with a target of 60% of a full-time 40-hour work week, or 24 hours per week. The Amendment would increase the target number of part-time hours from 60% to 75%, or 30 hours per week. The City Manager has informed the City's negotiators that he feels he needs to be present more to provide the supervision and leadership necessary for City staff. The City is experiencing growth, has several capital improvement projects underway, and demands for services have been increasing. The City Manager needs to spend as much time on the job as the department heads in order to provide effective leadership to manage these issues. The City Manager's current hourly rate is \$103.85 per hour with a target of 48 hours per pay period. Under this Amendment, the City Manager would work 12 additional hours per pay period, which is 312 hours more per year, for an additional cost of \$32,401, not including tax and fringe benefits. Thus, the budgeted annual cost to the City for the City Manager's pay would increase from \$129,605 (based on 60% time) to \$162,006 (based on 75% time), plus tax and fringe benefits. Fringe benefits will increase slightly with this Amendment because the Restated Agreement includes an obligation for the City to contribute 6% of the City Manager's pay to a retirement fund. The retirement contribution increase resulting from this Amendment would be $.06 \times \$32,401 = \$1,944$. Other fringe benefits paid for by the City under the Agreement include the vision/dental/life insurance costs, which are a flat rate not tied to wages, and will not be affected by the increase in hours. 60% of the cost of the City Manager's pay is charged to the general fund, with the balance charged mostly to water and sewer funds. (The regional sewer project has been consuming a lot of the City Manager's time in the last two years.) The Amendment will result in estimated costs to the City of \$32,401 plus \$1,944, for a total of \$2-34,345 per year.

Mayor Rick West stated the agreement will have increase in hours, not salary.

Council Member P. Shelton questioned when the City Manager's salary will be reviewed again.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve Amendment No. 1 to the Amended and Restated Agreement with Jim Goodwin for City Manager**. Vote called – AYES: All. Motion carried.

REPORTS

D. Schilling reported on the Regional Sewer Project, Caltrans Project and water meters arriving in early April.

Fire Chief A. Paquette reported on the new fire engine to arrive in mid-July, ISO and the First Due Program.

Police Chief D. Sylvester reported on his new car and a new patrol car to arrive in 45 days, and he has Reserve and Full-time positions open.

City Manager J. Goodwin reported on the new presentation equipment available in the Community Center.

There being no further business, Mayor R. West adjourned the meeting at 7:20 p.m.

Minutes approved and adopted on this 26th day of March 2022.

Rick West, Mayor

Lisa J. Thomason, City Clerk