

**MARCH 28, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 8:30 P.M.**

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

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

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

PUBLIC COMMENT

None.

CONSENT CALENDAR

Mayor Rick West announced that Consent Item No.'s 3.1, 3.2 & 3.6 are pulled for further discussion (see below).

It was moved by Council Member P. Shelton, Seconded by Vice Mayor Coe to **approve consent items; Wheatland 2022 Housing Element Annual Progress Report, Draft 2023 City of Wheatland Community and Economic Development Action Program, Financial Auditing Services, Acceptance and Notice of Completion of Wheatland Advanced Metering Infrastructure (AMI) Water Meter Installation Project and Designate Vice Mayor Bob Coe as Co-negotiator with Labor Negotiators/Employment Contracts – Government Code section 54957.6.** Vote called – AYES: All. Motion carried.

3.1 Acceptance and Notice of Completion for Portions of the Caliterra Ranch Village 1 Subdivision Improvements

Council Member A. Teter questioned if there is a downfall for work not completed and what is the benefit if approved. City Engineer D. Schilling explained there are bonds in place for protection.

Council Member L. McIntosh questioned what is not covered if not accepted. D. Schilling explained the City will have residents using public utilities and private streets which normally the City accepts and maintains, if not accepted the developer would continue to be responsible. There are requirements of the City as far as owning and maintaining public utilities.

It was moved by Vice Mayor R. Coe, Seconded by Mayor R. West to **approve Acceptance and Notice of Completion for Portions of the Caliterra Ranch Village I Subdivision Improvements**. Vote called – AYES: Coe, West, McIntosh, and Shelton. NOES: Teter. Motion carried.

3.2 Quarterly Investment Report December 31, 2022

Mayor R. West commented on investment return and questioned if the City can get into the CD market. Finance Director S. Wong explained the City will look into that.

It was moved by Vice Mayor R. Coe, Seconded by Council Member P. Shelton to **approve the Quarterly Investment Report on December 31, 2022**. Vote called – AYES: All. Motion carried.

3.6 Fiscal year 2022-2023 Mid-Year Budget Report

Mayor West commented on the Police Department being over budget. S Wong explained the City performed a mid-year department analysis. After council members were provided with the staff report it was discovered there was a discrepancy in some of police time being not charged to the Caliterra project.

It was moved by Vice Mayor R. Coe to **approve the Fiscal Year 2022-2023 Mid-Year Budget review and Amendment**. Vote called – AYES: All. Motion carried.

PUBLIC HEARING

1) Senior Planner Kevin Valente introduced the staff report for introduction and first reading of the draft City of Wheatland Ordinance Amending Title 18 of the Wheatland Municipal Code to establish a streamlined permitting process for electric vehicle charging stations (EVCS) in compliance with Assembly Bill (AB) 1236 and AB 970. AB 1236 and AB 970 apply to all charging station installations and essential components and infrastructure necessary for charging station function. All cities in California are required to comply with AB 1236 and AB 970, and for cities with fewer than 200,000 residents, AB 970 shall become effective by January 1, 2023. On March 7, 2023, the Wheatland Planning Commission held a public hearing regarding the proposed ordinance. During that meeting, the Planning Commission had concerns regarding the effects of potential EVSC projects on the local power grid. Staff responded that through the passing of the Assembly Bills, the State has limited review of EVCS projects to only health and safety concerns regarding the parking spaces. Therefore, per the guidance of the State, effects to the local power grid are not considered during the review process. However, through the building permit process, Yuba County Building Department will ensure that all electrical installations are installed properly pursuant to the California Building Code and other applicable regulations regarding the construction and operation of the station. The Wheatland Planning Commission also had questions about the effects of the proposed ordinance on private EV charging in residences. Staff responded that the proposed ordinance would have no effect on EV charging for residential development. Additionally, the Planning Commission had concerns about the lighting requirements for EVSC. Staff responded that the exterior lighting of an EVSC project would be considered in the review process per health and safety requirements. Concerns were also raised about potential costs to the City; however, all project expenses will be paid by the applicant/developer and the only cost to the City is staff time to prepare the staff reports and conduct meetings for this proposed ordinance. The Planning Commission also asked staff if any EVSC project is currently proposed, to which staff responded no. There were no comments received from the public. Upon close of the public hearing, the Wheatland Planning Commission recommended City Council approval of the proposed ordinance by a 3-2 vote. The proposed ordinance is determined to be exempt from the provisions of the California Environmental Quality Act

(CEQA) under Public Resources Code Section 21065 and CEQA Guidelines Section 15378, this action is not a “project” under the CEQA because it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment as the City is required to allow accessible parking and electric vehicle charging stations pursuant to current California law. AB 1236 and AB 970 are mandated by the State; however, the State has not made available grant funding for the processing of these mandates. The proposed ordinance is being processed using general fund dollars under the existing Raney Planning and Management contract services.

City Council Comments – None.

Public Comment – None.

It was moved by Council Member P. Shelton, Seconded by Vice Mayor R. Coe **to introduce the first reading of the Draft City of Wheatland Ordinance No. 490 Amending Title 18 of the Wheatland Municipal Code to establish a streamlined permitting process for electric vehicle charging stations (EVCS) in compliance with Assembly Bill (AB) 1236 and AB 970.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) Cynthia Roderick with the Yuba Sutter Economic Development Corporation introduced the staff report for Yuba-Sutter Development District 2021 CEDS Annual Performance and Evaluation and CEDS Appendices I, IV and V updates. This Comprehensive Economic Development Strategy (CEDS) is the result of a local planning process designed to guide the economic growth of the Yuba-Sutter region. The CEDS process helps create jobs, foster a more stable and diverse economy, and improve living conditions. It provides a mechanism for coordinating the efforts of individuals, organizations, local governments, and private industry concerned with economic development. An annual CEDS Performance Report is required to qualify for U.S. Department of Commerce, Economic Development Administration (EDA) assistance under its public works, economic adjustment, and most planning programs. This evaluation document represents the goals and objectives of the Yuba-Sutter Economic Development District which is comprised of Yuba and Sutter Counties and the cities of Marysville, Live Oak, Wheatland and Yuba City. The CEDS process is a continuing economic development planning process, developed with broad-based and diverse community participation. The 2022 CEDS Annual Performance Report reflects how the specific challenges and opportunities of the Yuba-Sutter Economic Development District were addressed and assesses the state of the regional economy, the opportunities and threats posed by external trends and forces and the progress made toward achieving regional vitality and sustainability. Data and information for the 2022 CEDS Performance Report was collected from a variety of sources which included a survey to 86 community implementation partners from both public and private sectors, U.S. Census Bureau, U.S. Bureau of Labor Statistics, California Employment Development Department and American Community Survey. The report shows a positive forward progress to achieving the Yuba-Sutter regional vision to foster a vibrant, prosperous and Growing Yuba-Sutter region through exceptional leadership and involvement of the community.

It was moved by Vice Mayor R. Coe, Seconded by Council Member A. Teter to approve **Resolution No. 12-23 for the 2022 Comprehensive Economic Development Annual Performance Report and the updated Appendices I, IV, and authorize its submittal to the United States Department of Commerce, Economic Development Administration.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

It was moved by Council Member I. McIntosh, Seconded by Council Member P. Shelton to pull regular agenda items; **Police Department Take Home Vehicle Pilot Program and Associated Costs, Council Discussion and Direction to Staff Regarding Updating the Vehicle Use Policy and Bishop's Pumpkin Farm 2022 Season Report with no further discussion.** Vote called – AYES: All. Motion carried.

REPORTS

- D. Schilling reported on the Wheatland Expressway.
- D. Sylvester reported on the county wide active shooter training.

Meeting adjourned to Closed Session at 6:30 p.m.

CLOSED SESSION

The meeting was reconvened at 8:30 p.m. with no reportable action.

There being no further business, Mayor R. West adjourned the meeting at 8:30 p.m.

Minutes approved and adopted on this 11th day of April 2023.

Rick West, Mayor

Lisa Thomason, City Clerk