

**JUNE 28, 2022, 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, J. Pendergraph, P. Shelton R. West
R. Coe

OTHERS PRESENT: J. Goodwin, City Manager
J. Buckman, City Attorney
D. Schilling, City Engineer
D. Dave Freudenberger (Raney Planning & Management)
A. Paquette, Fire Chief
J. Johnson, Account Clerk

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

PUBLIC COMMENT

None.

CONSENT AGENDA

1) Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve minutes from the regular meeting on June 14, 2022, the special meeting on June 21, 2022; Proclamation by the Wheatland City Council Declaring the month of July 2022 as Sexual Assault Awareness Month; Resolution No. 23-22 Authorizing the City Manager to Execute a Subdivision Improvement Agreement for Bear Ridge Family Apartments; Resolution No. 18-22 Requesting the Board of Supervisors to Consolidate the General Municipal Election with the Statewide General Election; Resolution No. 20-22 Approving Negotiated Memorandum of Understanding for the Wheatland General Employee’s Association; Resolution No. 24-22 Approving Negotiated Memorandum of Understanding for the Wheatland Police Officer’s Association; Resolution No. 25-22 Approving Negotiated Memorandum of Understanding for the Wheatland Sergeant’s Association and Resolution No. 21-22 Amending the City of Wheatland Personnel Rules.** Vote called – AYES: Motion carried.

PUBLIC HEARING

1) The Public Hearing for the Wheatland-Premier Grove Landscaping and Lighting District (including Park Place Annexation) for Fiscal Year 2022-23 to date certain of July 12, 2022, at 6:00 p.m.

2) Dave Freudenberger from Raney Planning & Management presented the staff report for consideration to adopt the Development Impact Fee (DIF) Updated Nexus Study. On August 13, 2019, the Wheatland City Council adopted a resolution and provided staff with direction to submit an application to the California Department of Housing and Community Development (HCD) for the SB 2 Planning Grants Program. The City of Wheatland was awarded \$160,000 of funding from the SB 2 Grant offered by HCD. Among other tasks, a portion of the SB 2 Grant was used for the City of Wheatland to update its development impact fees (DIF) pursuant to AB 1600. The purpose of the study is to update

the City's DIF for future development within the City of Wheatland. The current fee study was completed, and DIF program was adopted, in 2007. The City of Wheatland's development potential has changed significantly since 2007 (e.g., the Johnson Rancho and Hop Farm Annexation Project). On June 16, 2022, the administrative draft of the Nexus Fee Study Update was completed and made available to the public on the City of Wheatland's website. The purpose of the DIF is to mitigate the impacts on the City of Wheatland from future development regarding the cost of necessary facilities, as set forth in the bullet list included below. All future development would pay its fair share of these necessary facilities. The Nexus Study was prepared in compliance with the regulations set forth in AB 1600, ensuring that a rational nexus exists between future development in the Fee Program Area and the use and need of the proposed facilities. The Nexus Study demonstrates a reasonable relationship exists between the amount of each impact and the cost of the facilities attributable to the type of development that will be required to pay the impact fee. The Nexus Study determines the development impact fees for bridges, signals, and thoroughfares; sewer collection improvements; water distribution improvements; storm drainage facilities; law enforcement facilities; pool facility; parkland facilities; general government facilities; and public meeting facilities. The major changes from the 2007 Nexus Report and this 2022 Nexus Report include changes in the City's current planned development areas and planning horizon. The future development area for this Nexus Study, which is referred to as the Fee Program Area, contains more residential units and less non-residential building square footage. This Nexus Study anticipates approximately 2,300 more residential units (roughly 1/4 more) and approximately 2.2 million square feet less of combined retail and employment and light industrial uses (roughly 1/3 less); during the 2004-2006 timeframe, the City of Wheatland prepared a General Plan Update Background Report and backbone infrastructure Master Plans, all of which informed the 2007 Nexus Report. Currently, the City has conducted preliminary analysis of General Plan land uses and backbone infrastructure needs; a formal General Plan Update and backbone infrastructure Master Plan process is expected to commence in the near future. The public facilities recommended in the four high-level, conceptual infrastructure memos are sized based on the City's revised development areas and land uses quantities; the City's updated Capital Improvement Plan (CIP) amounts to \$492 million. The CIP included in the 2007 Nexus Report amounted to \$451 million but accounted for several infrastructure items that are now funded by other public agencies, including: \$58 million for a wastewater treatment plant and \$45 million associated with the SR 65 Bypass; new development within the City of Wheatland will be subject to impact fees for public facilities that are not City facilities. These fees are not incorporated into the Nexus Study, but they include: Yuba County public facilities; Olivehurst Public Utility District (OPUD) or Linda County Water District (LCWD) wastewater treatment plant facilities; and South Yuba Transportation Improvement Authority (SYTIA) SR 65 Bypass and East Wheatland Expressway improvements; one new fee has been added to the Fee Program with this Nexus Study. A separate impact fee will be collected to fund new development's fair share of a proposed City pool facility, which is estimated to cost \$8.5 million; two new land use categories have been added to the Fee Program as part of this Nexus Study. The Employment Use category remains, but it now applies only to land uses that are strictly office related. Light Industrial land uses, which formerly were integrated into the larger Employment Use category, now comprise their own Light Industrial land use category. An Agriculture Tourism category is also introduced in this Nexus Study to account for the ag-related retail uses that are developing in the Bishop's Pumpkin Farm area. The proposed fees reflect fairly significant reductions for the residential, hotel, and other non-residential land uses, compared to the City's current fees. In addition to the fees presented above, new development will be subject to a fire protection facilities fee. The Wheatland Fire Department is part of a joint powers agency that combines the Fire Department with the Plumas-Brophy Fire Protection District called the Wheatland Fire Authority. The Authority is responsible for fire prevention, emergency response and medical services, fire suppression and protection, and other services such as fire education and disaster preparedness. The Authority formed a Fire Suppression and Protection Services Assessment District, which levies an annual assessment to help fund ongoing fire-related

services. However, the City of Wheatland is responsible for levying and collecting its own development impact fees to fund fire-related capital facilities required to support new growth within the City of Wheatland. The Study does not recommend that the City of Wheatland update the current fire facilities development impact fees at this time as a public safety or fire services master plan will need to be conducted to identify facilities required to support currently envisioned development and to estimate the costs of those facilities. It is anticipated that such a master plan will be prepared as part of the General Plan Update process, and fire facilities impact fees will be updated at that time as well. Also, because the current fire impact fees are based on the size (square feet) and features (residential vs non-residential, type of use, etc.) of a structure, they cannot be easily incorporated into the summary table in the staff report. In compliance with the California Government Code, prior to levying a new fee or increasing an existing fee, the City of Wheatland is holding an open public meeting and distributed a public notice for this meeting 30 days prior to the meeting. The draft Development Impact Fee Updated Nexus Study was also made available to the public on the City's website 10 days prior to this meeting, as well as, the notice of the time and place of the meeting, and a general explanation of the matter, in accordance with Section 6062a of the Government Code. The Nexus Study and fees established in the study will be adopted through a City Council ordinance and resolution. The SB 2 Grant awarded from HCD to the City of Wheatland funded all cost associated with preparing the Development Impact Fee Updated Nexus Study. The new DIF identified in the Updated Nexus Study will fund the necessary facilities to support future development within the City of Wheatland.

Mayor R. West requested an explanation for how fire facilities are going to work. Freudenberger provided an explanation. West questioned if the updated Development Impact Fees are adopted will the City need to readopt if once the City has a report on fire facilities? West added if council adopts updated impact fees will this affect fees on current development. Goodwin stated no this will not affect their fees. The fire fees will stay as is and once a study has been completed on fire fees, City Council will adopt them separate from the Nexus Study at a future date.

Council Member L. McIntosh commented on the Caliterra Development agreement and the first fifty-five homes and questioned if houses built after the first fifty-five will they be charged the new rate. J. Goodwin responded no; they already have a negotiated rate in the development agreement. McIntosh commented on other development agreements. J. Goodwin stated other development agreements have expired.

McIntosh commented on concerns to drop fees and the updated CIP with the bypass. McIntosh commented that the City used to collect fees. Goodwin explained there is a JPA with SYTIA in place for collecting fees. McIntosh commented on pool facilities. City Attorney J. Buckman clarified information for McIntosh on the Nexus Study. Freudenberger explained fees on the public facility side, law enforcement and park facilities fees were all very high compared with inflation.

Council Member P. Shelton commented on facilities covered in nexus report and questioned why the fire station in the City is not included in the report. City Manager J. Goodwin explained the fire fees are staying as is and not included in the report. Shelton stated it is odd to her that fire is not included in the study. Shelton commented on the retail use percentage and Ag Tourism like Bishop's Pumpkin Farm. Goodwin stated the City is under contractual obligation for Bishop's Development Agreement to be included in the study.

Council Member L. McIntosh commented on what information was not available for the fire station. Freudenberger explained there are firms that perform that kind of study and in 2007 the City had one.

L. McIntosh questioned if adopting the new fees as presented, is it only the study that is being adopted. J. Goodwin explained the nexus sets the fee and that is what is being asked for consideration of adoption.

Council Member P. Shelton commented on the General Plan. J. Goodwin explained it could occur however land use questions need to be answered first to get a footprint of the City. This does not eliminate the fee. Shelton stated that is a concern.

Council Member J. Pendergraph commented on the General Plan and bringing more businesses and rooftops into the City. J. Goodwin stated the population has not changed much and the fire fee is driven more by the population then it is by infrastructure.

Council Member P. Shelton commented on preparing for schools. Freudenberger stated the schools will be responsible for fees.

PUBLIC COMMENT

1) Chris Walsh commented on fees moving forward and why fees are dropping. Walsh also commented on Ag Tourism. Fire Chief A. Paquette was asked if he had any comments on the discussions in tonight's meeting. Paquette stated in this forum he has no comment.

2) Pamela Walsh requested clarification from what was said during the meeting by planning, 'we know it's coming.' J. Goodwin explained how the phrase was intended.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member J. Pendergraph to **adopt Resolution No. 26-22 Adopting Draft Development Impact Fee (DIF) Updated Nexus Study**. Vote called – AYES: Coe, Pendergraph, Shelton, West. NOES: L. McIntosh. Motion carried.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for Fiscal Year 2022-2023 Operating Budget. Goodwin pointed out that a revised resolution was provided at the meeting, two numbers on the first page of the resolution are incorrect. The Council has received reports from Budget Consultant Andy Heath regarding the budget forecast for next year and following years. The proposed FY 2022-2023 operating budget is presented within the parameters of that forecast. The proposed FY 2022-2023 budget provides for essential City services to best serve our residents and maintain our quality of life. The General Fund includes funding for public safety services such as neighborhood police patrols, crime prevention and investigation services that keep our City safe, as well as funding for streets, parks, and administration. The General Fund also includes funding for firefighting and emergency response services to protect our community effectively in any emergency, including the increasing threat of wildfires. Fire and emergency services are provided through a contract with the Wheatland Fire Authority. A combination of grant funding, state gas tax funding and transfers from the General Fund provide funding for local street maintenance. The proposed General Fund budget projects a Net Income of \$57,433. Service levels will remain at FY 2021-2022 levels. The City's Special Revenue and Enterprise funds are balanced except for the Wastewater Fund. It is projected that Council approved rate increases will create a balanced Wastewater Fund in the future. All approved capital projects and special projects are fully funded. Resolution No.19-22 includes the budget control policies adopted by Council each year as part of the budget process. In addition, Resolution No.19-22 establishes the appropriations limit (Gann limit) as required by Article XIII B of the California Constitution. The

proposed budget establishes appropriation limits for all operating funds of the City as shown in the budget document.

Mayor R. West commented on SB-1 budget, vehicles, TDA budget and would be nice to put together Capital Projects list budget. West stated he is concerned about the water fund and mentioned looking into solar for water or other options. A. Heath stated working capital shows depreciation.

Chris Walsh commented on the cost of Little League lights.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member L. McIntosh to **adopt revised Resolution No. 19-22 as provided for council members at the meeting, Adopting the Annual Budget, Control Policies and Appropriations Limit for Fiscal Year 2022-2023.** Vote called – AYES: All. Motion carried.

2) City Engineer D. Schilling presented the staff report for SB-1 Funding Project List for Fiscal Year 2022-23. On April 28, 2017, State Senate Bill 1 (SB-1), also known as the Road Repair and Accountability Act of 2017, was signed into a law by Governor Brown. SB-1 established the Road Maintenance and Rehabilitation Account (RMRA) to address deferred maintenance on the state highway system, and local street and road systems. RMRA funds are available to cities and counties for basic road maintenance, rehabilitation, and critical safety projects that may include, but are not limited to the following: road Maintenance and Rehabilitation; safety Projects; railroad Grade Separations; complete Street Components (including active transportation purposes, pedestrian and bicycle safety project, drainage, and stormwater capture in conjunction with any other allowable project) and Traffic Control Devices In FY 2021-22 the City completed Pavement Management Program which was adopted by City Council on February 22, 2022 date. The PMP was prepared utilizing the SB-1 funds. The City of Wheatland has received SB-1 distributions to-date totaling \$276,668.05. Included in the staff report was a table for allocations received to-date (10 months received) and projected through FY2022-2023. Amounts based on apportionment reports from State Controller's Office for RHMA Cities and Counties. Projected amounts were estimated by staff. S8-1 requires the City Council to adopt by resolution a list of projects proposed to receive funding from the RMRA prior to a given fiscal year. The staff report provided the City's current plan and intent for expenditure of the S8-1 funds. City Council may choose to modify or alter the list at this Council meeting. Staff needs to report on the selected projects by June 30, 2022, to make the first round of reporting to the California Transportation Commission (CTC). City Staff will bring a list of recommended roadway projects to the City Council at a future meeting and selected projects will be incorporated into the FY 22-23 Budget at that time. The list of potential S8-1 funded projects is as follows: Hooper Street resurfacing, Olive Street resurfacing, crack sealing of various streets, West main Street resurfacing and Wheatland Road Complete Street. These projects, if selected, would be eligible to receive S8-1 funding. S8-1 funds may be rolled over and accumulated for use in future years. The projects are intended to improve and maintain the quality of the roadways and ensure that the City's local road network continues to meet the needs of the community.

Council Member P. Walsh questioned the responsibility of Caliterra for damage of Wheatland Road. D. Schilling explained the developer will help repair the road but there will not be a new street.

Motion was made by Council Member P. Shelton, Seconded by Council Member L. McIntosh to **approve Resolution No. 22-22 to Adopt a List of Projects Funded by SB-1 The Road Repair and Accountability Act in FY 2022-2023.** Vote called – AYES: All. Motion carried.

REPORTS

Fire Chief A. Paquette reported on the upcoming slide show for the WAF mid-year report, engine out in Bridge Port and promotion of new Fire Captain on July 14th.

City Manager J. Goodwin reported on closing Bishop’s meeting July 7.

Council Member Pamela Shelton reported on closure of E Street during peak hours.

There being no further business, Mayor R. West adjourned the meeting in honor of Cotton Rosser at 8:30 p.m.

Minutes approved and adopted on this 27th day July 2022.

Rick West, Mayor

Lisa J. Thomason, City Clerk

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