

**JULY 25, 2023, MINUTES  
REGULAR WHEATLAND CITY COUNCIL MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:00 – 7:35 P.M.**

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

**OTHERS PRESENT:** B. Zenoni, City Manager  
T. Raney, Community Development Director  
D. Schilling, City Engineer  
S. Wong, Finance Director  
J. Buckman, City Attorney  
A. Paquette, Fire Chief  
B. Wittmer, Police Chief  
L. Thomason, City Clerk  
J. Johnson, Account Clerk

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

**Mayor Rick West administered a ceremonial Oath of Office to Police Chief Brian Wittmer.**

**PUBLIC COMMENT**

None.

**CONSENT CALENDAR**

It was moved by Vice Mayor R. Coe, Seconded by Council Member A. Teter to **approve minutes from the regular city council meeting on July 11, 2023.** Vote called – AYES: All. Motion carried.

**REGULAR CALENDAR**

1) City Engineer Dane Schilling presented the staff report for Bishop Pumpkin Farm 2022 Traffic Study and 2023 Traffic Management Plan. Since 2015, Wheatland has been implementing traffic management plans during each season. The 2022 traffic report was conducted to acquire vehicle volume and speed at five locations using tube counters. The report concludes that approximately 310,000 patrons and 81,395 vehicles traveled to the event. Schilling explained differences between inbound and outbound traffic counts on Main Street. A discrepancy was reviewed in detail with the traffic counting vendor that concluded the data counters were functioning properly, however tubing counting devices depend on vehicle speed to register a count. In stop-and-go traffic the devices may not register all passing vehicles. Each year City Staff meets several times to plan for the upcoming pumpkin farm event and formulates a traffic management plan. The City has conducted public workshops to solicit input of the surrounding residents and stakeholders, and then incorporates input into the current year plan. The 2023 Traffic Management Plan is essentially the same as the 2022 plan with minor adjustments based on input

gathered during the 2022 event. Input received from the council will be incorporated into the 2023 Traffic Management Plan and a community meeting will be scheduled in early August for community review and comment.

Council Member P. Shelton commented on the daily breakdown, peak times and peak days, weekend traffic, decrease of speed on Main Street, Wheatland Road gate, definition of ADT and the number of employee trips on Oakley Lane. Shelton also commented on additional fire pits, change verbiage regarding 'weekend,' staffing for secondary entrance, special evening events, more information regarding Wheatland Police and why there is officer designated on event sight if the sight has their own security and impact to community.

Mayor R. West commented on using data to plan for the future and adjust. West added that the traffic report is for learning what to do next from the collected data. West questioned if there is a way to encourage traffic on Wheatland Road.

P. Walsh commented on ADT formula over a year or month, weekend closure on E Street, who decides what is peak/nonpeak and two-lane entry road. Walsh also commented on Amendment No. 1 to the Development Agreement and access to property.

F. Shelton commented on charging vehicles on exit instead of entrance.

C. Walsh commented on the westerly portion of Main Street as a collector and Federal Highway and Caltrans designation. Walsh commented again on the Main Street collector, streetlight and First Street being identified as a collector.

K. Thomason questioned why the community meeting is scheduled so late in the year.

The City Attorney explained to Mr. Walsh that public comment is to express comment, not for debate. City Manager B. Zenoni commented that the traffic report is informational, and changes are possible.

2) The Wheatland Fire Authority Mid-Year Update was postponed until the next council meeting.

3) Community Development Director Tim Raney presented the staff report for consideration to amend the Development Agreement between the City of Wheatland and Dale Investments Concerning the Caliterra Ranch (formerly known as Jones Ranch) Subdivision. On December 27, 2005, the City of Wheatland entered into a Development Agreement with Lakemont Overland Crossing for the Jones Ranch Subdivision. The Development Agreement subsequently was amended on June 10, 2008, and further amended on November 9, 2010, with RBC Real Estate Finance. Thereafter, the project was renamed Caliterra Ranch. On November 25, 2014, the City of Wheatland approved a Third Amended and Restated Development Agreement with Dale Investments regarding the Caliterra Ranch (formerly known as Jones Ranch) Subdivision. The developer is seeking an additional amendment to the Development Agreement for the date of termination to be extended to December 31, 2026. Since 2014, the Third Amended and Restated Caliterra Ranch Development Agreement has been amended two additional times. Amendment No.1, which was approved by the Wheatland City Council on June 30, 2017, provided development impact fee protections, and extended the deadline for the recording of the final map for the first fifty lots. Amendment No.2, which was approved by the Wheatland City Council on December 8, 2020, reduced the development impact fees by 50 percent for the first 145 units and included additional terms: for Caliterra Ranch Property owner to record the sale of the phase 1 site of 145 lots to a home builder by Match 2021; requires home builder to enter into a new subdivision improvement agreement with the City and begin construction by September 2021; requires completion of the subdivision improvements for the 145 lots in phase 1 and acceptance by the City by September 2022 and requires the home builder to receive approval and fund building permits for a minimum of 10 of the 145 units by December 2022. The Final Maps for Phase 1 (Village I and Village II) have been approved and 145 lots have been sold to the home builder K Hovnanian Homes (KHOV). Internal streets

and improvements to Wheatland Road have been constructed, sixty-one building permits have been approved, and twenty-eight final inspections have been approved. Dale Investments and the project engineers have been working with City staff on Phase 2 of the project and preparing to sell the next phase to KHOV or another builder. The housing market has now slowed in the region due to the rise in interest rates. Currently, the pace of sales for the Caliterra Ranch project is 0.5 sales per week or twenty-six sales per year. Using that sales rate, it is projected that Caliterra Ranch would meet the required 276 recorded lots by December 2027 rather than December 2023. Due to the slower than anticipated sales, Dale Investments has indicated it needs additional time to continue with the project. City staff has met with the Dale Investments representatives on several occasions to discuss the framework for a third amendment to the Third Amended and Restated Development Agreement that would provide a time extension from December 31, 2023, for another 10 years. Staff has requested that Dale Investments will ensure that if the proposed 5-acre park is not constructed as part of the next phase of lots within the next three years, at least 2.6 acres of the proposed 5-acre park consisting of grading, irrigation, and planting turf would be constructed by December 31, 2026. In the event this next phase of development does not develop within the next five years, Dale Investments will complete the remaining improvements for the 2.6-acre portion of the park site by December 31, 2028. In order to ensure the secondary access is provided in a timely manner, the applicant is willing to grant an easement, dedicated to the City, that will allow access to Bishop's prior to the 2023 Bishop's Pumpkin Farm season opening. The City is requesting the easement be granted to the City by August 31, 2023. The easement would not conflict with the parcel that is planned to be donated to the school district. Dale Investments provided a letter to the City outlining these deal terms. City staff has prepared a Resolution of Intent to provide directions to staff to prepare and process a Development Agreement Amendment between the City of Wheatland and Dale Investments. With the potential of extending the expiration date of the Development Agreement, City staff expressed concerns that the neighborhood park might not be constructed for another ten years. City staff has negotiated with the applicant that the park will be constructed with the next phase of lots to be developed, beginning with lot 146. In the event that the next phase of lots is not developed within the next three years, the applicant has agreed to proceed with grading, irrigation, and planting turf on the northern 2.6-acre portion of the park site. This will provide a usable area for the existing homeowners within the Caliterra Ranch community. In the event the same next phase of lots is not developed within five years, the remaining improvements will be completed on the 2.6-acre portion of the park site.

Mayor R. West questioned if the easement has time to be recorded by August 31, 2023, and when would the easement go in.

Council Member P. Shelton questioned if 10 years is a typical extension and the benefit to the City to extend contract, ensuring property is given to the high school, the second access to the Bishop Pumpkin Farm and an easement.

Council Member L. McIntosh commented on intent to negotiate the development agreement and forming an Ad-Hoc Committee for negotiation, stated concerns about a 10-year extension, and questioned if a dedicated easement to access Bishop Pumpkin Farm and if the agreement runs with the land. McIntosh questioned the City Attorney about the resolution and if it is only for intent or does it lock the City into an agreement.

Rick Langdon representing Caliterra Ranch and Dale Investments, commented that the easement will be a street in the future.

F. Shelton commented on the possibility of paving the easement and finishing the park.

M. Boom commented on concerns with the easement.

It was moved by Council Member L. McIntosh, Seconded by Council Member A. Teter to **adopt Resolution No. 29-23 of Intent to Process an agreement to the Caliterra Ranch (formerly known as Jones Ranch) Development Agreement with an addendum to form an Ad Hoc Committee.** Vote called – AYES: All. Motion carried. **Council Members L. McIntosh and A. Teter were assigned to the Ad Hoc Committee.**

## REPORTS

T. Raney reported on General Plan Consultants and suggested an Ad Hoc Committee with two Planning Commissioners and two Council Member to interview the consultants. **Planning Commissioners G. Hart and Willie Tinsley and Mayor R. West and City Council Member P. Shelton were assigned to the Ad Hoc Committee.**

Fire Chief A. Paquette reported on inspections at the Bear Ridge Apartments.

Police Chief B. Wittmer reported on the new patrol vehicle.

City Manager B. Zenoni reported on the annual clean-up day on July 29, August 1 is National Night Out, utility rate study and forming an Ad Hoc Committee and an Ad Hoc Committee for the Aquatic Center. **Council Mayor R. West and Council Member Angela Teter were assigned to the Utility Rate Study Ad Hoc committee, Vice Mayor R. Coe and A. Teter were assigned to the Aquatic Ad Hoc committee.** Zenoni also reported on paving projects, audio equipment for the Community Center and announced the August 8<sup>th</sup> City Council meeting will be cancelled.

There being no further business, Mayor R. West adjourned the meeting at 7:35 p.m.

Minutes approved and adopted on this 22<sup>nd</sup> day of August 2023.

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Rick West, Mayor

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Lisa Thomason, City Clerk