

**AUGUST 27, 2019 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30–7:10 P.M.**

COUNCIL MEMBERS PRESENT: R. Coe, J. Henderson, *L. McIntosh, J. Pendergraph
ABSENT – R. West

OTHERS PRESENT J. Goodwin, City Manager
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Sylvester, Police Sergeant
S. Riley, Deputy City Clerk

PLEDGE OF ALLEGIANCE:

City Council Member R. Coe led the pledge of allegiance.

PUBLIC COMMENT – None.

CONSENT CALENDAR

Motion was made by Council Member J. Pendergraph, Seconded by Council Member R. Coe **to approve minutes of the regular meeting on August 13, 2019.** Vote called – AYES: Pendergraph, Coe and Henderson. ABSENT: McIntosh and West. Motion carried.

PUBLIC HEARING

**City Council Member McIntosh arrived.*

1) Community Development Director Tim Raney presented the staff report for consideration to adopt the South Yuba Transportation Improvement Authority (SYTIA) Traffic Impact Fee. In August of 2017, Yuba County and the City of Wheatland entered into a Joint Exercise of Powers Agreement (JPA) creating the South Yuba Transportation Authority (SYTIA). SYTIA was established with the primary focus of jointly working to improve the regional transportation infrastructure needed to support the growth anticipated in the City as well as within the southern portion of Yuba County. The SYTIA Board took a series of actions beginning in 2018 to establish a local revenue source for the local share of costs of the infrastructure projects planned to be constructed by SYTIA. The infrastructure projects can generally be described as constructing a new high capacity roadway from the terminus of the Lincoln Bypass (State Route 65) in Placer County to State Route 65 at South Beale Road, constructing a new freeway interchange at State Route 65 and South Beale Road, and constructing a high capacity roadway between the new South Beale Road Interchange and the Plumas Lake Blvd Interchange on State Route 70. The result of the SYTIA Board's actions is the attached SYTIA Traffic Impact Fee Study, which the SYTIA Board adopted on June 4, 2019. The SYTIA Traffic Impact Fee would apply to all new development in the unincorporated areas of the County south of the Yuba River as well as within the boundaries of the City of Wheatland. The Fee would be calculated based on the daily p.m. peak hour traffic trips generated by the new development, with a new single-family home generating one p.m. peak hour trip. Fee rates for non-residential uses have been converted from p.m. peak hour to equivalent square footage based on type of non-residential use. The estimated total cost of the SYTIA infrastructure projects covered by the Study is \$250,000,000, with \$100,000,000 being estimated to be generated by the Fee. The Study estimates that new development in the area covered by the Fee will generate 35,363 new daily p.m. peak hour traffic trips.

The resulting fee is \$2,828/ p.m. peak hour trip (\$100,000,000/35,363). Based on current rate of development, the Fee will generate over \$1 million per year in revenue. Staff is recommending adoption a resolution which will adopt the SYTIA Impact Fee Study and establish the fee as well as the process for calculation and collection of the fee. The same recommendation is being made to the Yuba County Board of Supervisors.

Mayor J. Henderson questioned if the traffic study fee will only be in place until the study is done and there will be a future possible fee after that? T. Raney responded this is the first step of the fee, and we do not have the full engineering plans at this point. J. Buckman added that the fee is based on the preliminary study.

Mayor J. Henderson stated that there was discussion of a higher fee at the SYTIA meeting which resulted in the amount of \$10K per home and questioned how the amount of \$2800 was determined. T. Raney responded that the higher fee was based on the scale of projects prior to the study that was conducted by TJKM. The lower fee in the TJKM study was based on the list of projects identified in the study. Henderson stated that the City also has a Hwy. 65 impact fee/bypass fee. Raney responded that the City prepared the current impact fee study which was done around 2008 based upon the General Plan which approved in 2006. At that time there was identification of potential fees for Hwy 65 which are continually collected. The City is working on updating fees.

Motion was made by Mayor J. Henderson to **adopt Resolution No. 31-19 Implementing the South Yuba Transportation Authority (SYTIA) Traffic Impact Fee Study and Establishing SYTIA Traffic Impact Fees and that City Impact Fees for Hwy. 65 improvements be lowered to the same amount as determined in the study until the City's impact fees are updated.**

J. Buckman stated discussion of lowering the City's current Impact Fee relating to Hwy. 65 improvements may not be discussed at this time because it has not been properly noticed.

J. Goodwin stated that immediate impact on development would not change because those developments that are closest to fruition are under a Development Agreements that have stated impact fee amounts. T. Raney stated yes, with the exception of regional transportation improvements. Current projects that have protected development impact fees, those are for a broad level of impacts of improvements but are not specific to Hwy. 65. This will be a new fee for developers to pay.

J. Henderson stated his main concern is that the City would be charging people twice. J. Goodwin responded, the City would not be charging twice, the negotiated amount is not relative to each individual fee. J. Henderson stated the besides what the City is charging for impact fees, which also includes a fee for Hwy. 65 improvements, that it should be absorbed. J. Goodwin pointed out that the SYTIA fees are very specific and the City has urged SYTIA staff that there are going to be interim Hwy. 65 improvements that are going to be necessary before the bypass is built. If the City does collect any Hwy. 65 fees in addition to the SYTIA fee, the City would be collecting resources that could address interim Hwy. 65 improvements. The alternative would be that the City could request we spend funds for interim Hwy. 65 improvements and seek SYTIA concurrence on that. J. Henderson there was also a thorough fare fee. T. Raney stated there is an existing overall transportation fee that identified some Hwy. 65 improvements to cover the whole City in the amount of \$6500. J. Henderson reiterated that he still thinks the City will be charging a double fee. J. Goodwin stated Council could direct staff to bring back discussion of current fees at a future meeting. J. Buckman recommended that the motion made on this agenda item by Mayor Henderson be amended. J. Henderson withdrew his motion.

J. Pendergraph stated the City asked the County to establish a fee for the Hwy. 65 bypass and thinks surrounding jurisdictions are recommending a bypass. The City will be impacted with an increase in traffic due to the casino opening, a commitment to approve this is necessary.

Motion was made by Council Member R. Coe, Seconded by Council Member J. Pendergraph **to approve Resolution No. 31-19 Adopting Imposition and Collection of Traffic Impact Fees for the South Yuba Transportation Improvement Authority (SYTIA)**. Vote called – AYES: Coe, Pendergraph, and McIntosh. NOES: J. Henderson. ABSENT: R. West. Motion carried.

REGULAR CALENDAR

Discussion and approval of Resolution No. 26-19 Establishing the Master Fee Schedule Effective July 1, 2019 was pulled and rescheduled for a future City Council meeting.

REPORTS

Council Member R. Coe reported of the League of California Cities meeting and the Winters tour of the PG&E facility and stated the Homeless Commission census for Yuba-Sutter had a decrease in the number of homeless. Council Member J. Pendergraph reported on the WFA OES Tanker.

City Attorney J. Buckman reported on amicus brief that was filed, with the City's support, in the Association for Los Angeles Deputy Sheriffs case. The Supreme Court issued a unanimous decision adopting the reasoning of the City's brief. The case involved the extent to which disclosure of police officer's prior misconduct is subject to disclosure in criminal matters.

CLOSED SESSION – City Attorney was directed to prepare an amendment to the City Manager's employment agreement to:

1. Provide a life insurance policy of \$75,000 on the same terms as provided to other city employees;
2. Allow City Manager to participate in the ICMA 401(a) plan on the same terms as city's miscellaneous employees.

ADJOURN

There being no further business, Council Member J. Henderson adjourned the meeting at 7:10 p.m.

Minutes approved and adopted this 10th day of September 2019.

Joseph Henderson, *Mayor*

Lisa J. Thomason, *City Clerk*