

**OCTOBER 11, 2022, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 6:42 P.M.**

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

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

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

PUBLIC COMMENT

June Swift commented on dust from the road going into the pumpkin farm and police presence after 3:00 p.m.
Chris Walsh commented on barrels, exist from the pumpkin farm, closure of E Street and a chicane device.

CONSENT CALENDAR

Item 3.2 was pulled for council discussion.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member P. Shelton to approve minutes from the September 13, 2022, regular City Council meeting. Vote called – AYES: All. Motion carried.

3.2 Resolution No. 35-22 was amended after agenda packets were delivered. The amended agenda was presented to council members at the meeting. Motion was made by Vice Mayor R. Coe, Seconded by Council Member P. Shelton to **adopt Resolution No. Resolution No. 35-22 Authorizing Approval of an Agreement with Yuba County for Property Tax Reimbursement.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) Police Chief Damiean Sylvester presented the staff report for 2022 3rd Quarter Crime Statistics Report. Through the 3rd quarter of 2022, Part 1 crime stats are down from 2021, and on pace to be below our 5-year average.

Council Member P. Shelton commented on thoughts because crime numbers are down. Chief Sylvester stated he believes because the county is accepting an increased number of bookings.

No action required.

2) City Manager Jim Goodwin presented the staff report for consideration to approve the task order with Raney Planning & Management to prepare a Background Report for the Wheatland General Plan Update. The current City of Wheatland General Plan was adopted in 2006. Since that time, the City's development buildout scenario has changed significantly, including annexations, flooding and drainage improvements, sewer conveyance and treatment, lands in active agriculture production, and changes in the planned roadway system. As a result, the need to prepare a comprehensive update of the City of Wheatland General Plan has become considerable. The first step in preparing a comprehensive General Plan Update is to update the City's existing A Background Report serves as snapshot of the City's existing conditions and summarizes the physical, social, and economic conditions of the City. The preparation of the Background Reports will include a review of all current land use plans, master plans and feasibility studies supporting the current General Plan or completed since adoption of the plan. The City of Wheatland has been awarded \$100,000 from the 2021 SACOG Community Design Funding Program for the preparation of the General Plan Update Background Reports. The 2021 Community Design Funding Program has a current funding round cycle deadline of April 30, 2024, The City of Wheatland plans to use funds from the Federal American Rescue Plan Act of 2021 (ARPA) for the Comprehensive General Plan Update. The current Planning Services Contract with Raney Planning and Management requires a task order for certain project services. All task orders that exceed the City Manager's contract authority (those \$25,000 or greater) require City Council approval. The Task Order authorizes Raney Planning and Management Inc. (Consultant) to perform the necessary tasks to prepare the Background Reports (Project), which is the first step in the Comprehensive General Plan Update process. The preparation of the proposed project is estimated not to exceed the \$100,000 SACOG Community Design Grant Program funding. Proposed project tasks include project Management, including Regular Reporting to SACOG; prepare the General Plan Update Background Reports; planning Commission and City Council Presentations; preparation of Economic Consultant Request for Proposal and preparation of General Plan Consultant Request for Proposals. Tasks identified include hiring two additional consultants. The first consultant will assist in the preparation of the Economic and Fiscal Conditions Background Report and the second consultant will be the General Plan Update consultant. The General Plan Update consultant will specialize in General Plan Updates as well as hosting the associated community outreach workshops for the preparation of the General Plan Update.

Council Member P. Shelton questioned if the City already has a consultant. The consultant is Raney Planning & Management who will also arrange committee meetings.

Mayor R. West commented on the background report and RFQ running concurrently.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member P. Shelton **to approve Task Order #1 with Raney Planning and Management Inc. for the preparation of the General Plan Update Background Reports and direct the City Manager to sign.** Vote called – AYES: All.
Motion carried.

2) City Engineer Dane Schilling presented the staff report for discussion and consideration to adopt Resolution No. 34-22 accepting Amendment No 1 to the Basis of Design Report; authorizing an amendment to the grant/loan agreement with Yuba Water Agency for additional funding; amending FY2022-23 Budget; and authorizing amendments for environmental and design services for the Wheatland Regional Sewer Pipeline Project. On January 14, 2020, the City Council directed the formation of an Ad-Hoc committee to work toward securing the best possible long-term solution to the

City's future wastewater treatment needs by exploring and developing the two alternatives recommended in the City of Wheatland Wastewater Treatment Alternatives Analysis report. On July 28, 2020, the City Council adopted Resolution No. 35-20 approving a \$2.6M grant/loan agreement with the Yuba Water Agency (YWA) and authorizing the City Manager to sign the agreement to fund environmental and design efforts for the conveyance pipeline and pump stations needed to deliver 1.5 million gallons per day of sewage from Wheatland to the planned terminus of Olivehurst Public Utilities District's (OPUD) sewer project at Highway 65 and Rancho Road. On November 10, 2020, the City Council adopted Resolution No. 43-20 amending the FY 2020-21 Budget and authorizing the City Manager to proceed with environmental review and engineering design for the Wheatland Regional Sewer Pipeline Project which conveys wastewater as far as Highway 65 and Rancho Road. On April 27, 2021, the Basis of Design Report for the Project was presented to the City Council, the City Council adopted Resolution 16-21 accepting the report, and the City Manager was authorized to approve modifications to the proposed project that are consistent with the overall scope and estimated costs of the project as represented in the report. On July 26, 2022, the City Engineer provided an update on the Project including funding for construction, environmental review, engineering design, right-of-way acquisition, permitting and inter-agency agreements. The purpose and need for the Project are: existing wastewater plant is only secondary treatment; existing plant has a State Water Quality violation on record; remaining plant capacity was previously sold-out to future development; 1.5 million gallons daily treatment is needed for existing users and growth; reasonable & stable rates; ultimate plan for up to 3.82mgd capacity at build-out; alternatives were studied by City in December 2019 and the city committed to regional solution in October 2020. Since the July 26, 2022, City Council update staff and the consultant teams have continued toward the original goal of being shovel ready in the event that construction funding is made available to the Project. Engineering design is approximately 90% complete, environmental review and processing is progressing and some permits have been acquired for construction of the project. In the July 26th update certain significant issues and opportunities have arisen during the course of development of the Project, especially in the last five months. The major issues and opportunities include the changes, new information and unforeseen conditions: Pump Station 2 (PS2) Site; OPUD Flow Equalization; Corp Yard Replacement Area at PS2; UPRR Permitting, Rights of Entry, Design Changes; Central Valley Flood Protection Board (CVFPB); Pipeline Realignments; PG&E Conflicts; Potholing; Maximize Available Construction Funding; Prolonged Project Schedule; Spikes in Construction Costs and Grant Funding Application. The changes are substantial enough to warrant a revision to the original BOOR. YWA's funding team has also recommended amending the BOOR to better support the current pursuit of grant funding for construction. The changes have also expanded the environmental, engineering design, right-of-way acquisition and grant funding efforts well beyond what was originally estimated in 2020. The City's Ad-Hoc committee has continued to meet since January 2020 to review the status and progress of the Regional Sewer Project and the associated agreements. Also, staff have been in close coordination with agencies involved including YWA, OPUO and Yuba County staff as well as Wheatland's development interests regarding the progress and planning of wastewater treatment in south Yuba County. All south County agencies and key stakeholders continue to be supportive of the regional sewer efforts. Recently, the City's Ad-Hoc Committee has been meeting more frequently (weekly) to stay abreast of current developments and of the collaboration between agencies. The staff report included a comparison of the original estimates from the BOOR (updated April 2021) and the current estimates in Amendment No 1 to the BOOR; a detailed cost breakdown is provided in Appendix 3 of Amendment No.1 to the BOOR and the breakdown of costs contemplated in the YWA budget augmentation. The requested budget increase for additional environmental, engineering design, right-of-way acquisition and grant funding efforts was independently reviewed by the City's third-party consultant Bill Lewis. Mr. Lewis reported to the Ad-Hoc committee that the requested budget augmentation of for pre-construction professional services is consistent with the changes in the Project

scope, and within industry ranges for projects of similar complexity and magnitude. The Ad-Hoc Committee has reviewed the proposed budget increase and endorsed the requested augmentation. YWA staff has indicated that they are aware of the dynamics associated with becoming construction-ready on a compressed time frame for a project of this size and complexity. YWA staff has indicated that their Board may be willing to augment the City's current \$2.6M grant/loan agreement with YWA to include an additional \$2M loan to fund the additional environmental, engineering design, right-of-way acquisition and grant funding efforts required for the Project according to the same terms of the original agreement. The City Manager sent a letter to YWA's Assistant General Manager to document the City's intent to request an amendment to the grant/loan agreement pending City Council's approval.

Mayor R. West commented on design issues.

Council Member P. Shelton commented on changes causing long term maintenance issue different from the original design. D. Schilling commented on equalizations tanks. Shelton questioned if the funds are not available this year, would they be available next year. Schilling stated the state closes applications and the end of the year and there is a surplus of funds available.

Public Comment

C. Walsh commented on the start of the project, impacts on bypass. D. Schilling explained construction funding is approximately \$100M, if received in time the project might end at the earliest at the end next year, construction goes on for about 20 months. The existing treatment plant will be taken out of service after the pipeline is complete.

G. Hart commented on additional tanks, smell, degradation of pipes and enhancer controls with biofilters. D. Schilling commented on a feature to add chemicals to reduce gas and acid filter.

A. Teter commented on the impact on water bills. J. Goodwin explained the long-term cost savings to residents and short term will be preparing a rate analysis. Goodwin added that part of the action at this meeting is to amend the agreement with the Yuba Water Agency to increase their commitment to the project.

Motion was made by Council Member P. Shelton to **adopt Resolution No. 34-22 as presented, which specifies the following actions: Accept the oral project update from the City Engineer and accept Amendment No.1 to the Basis of Design Report for the Wheatland Regional Sewer Pipeline Project; authorize the City Manager to pursue and execute an amendment to the Yuba Water Agency (YWA) agreement for an additional \$2M in loan funds for additional work associated with the environmental, engineering design, right-of-way acquisition and grant funding work for the Project; upon execution of an agreement for additional loan funds from YWA, authorize the City Manager and Finance Director to amend the FY 2022-23 Budget to include an additional \$2M for the Regional Sewer Project and contingent upon items 2 and 3 above, authorize and direct the City Manager to execute any required amendments not to exceed the additional \$2M, for consultant services required to complete the environmental, engineering design, right-of-way acquisition and grant funding work for the Project.**

Vote called – AYES: All. Motion carried.

REPORTS

D. Schilling reported on shipment of the little league lights.

Chief Paquette reported on the trip to look at the new fire engine which should be in house by the end of the month.

Chief Sylvester reported on two officers' solo by the end of next week.
Vice Mayor Coe reported on the homeless commission.
Council Member P. Shelton commented on completion of the park project.
Mayor West reported on completion of the levee haul.

Minutes approved and adopted on this 25th day of October 2022.

Rick West, Mayor

Jessy Johnson, Account Clerk I

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