

**NOVEMBER 9, 2021, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
VIA ZOOM
6:00 – 6:27 P.M.**

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

OTHERS PRESENT: J. Goodwin, City Manager
S. Mahoney, Finance Director
T. Raney, Community Development Director
J. Buckman, City Attorney
D. Sylvester
A. Paquette, Fire Chief
L. Thomason, City Clerk

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

PUBLIC COMMENT: Megan Anderson commented on a dog park.

CONSENT CALENDAR

*Item No. 3.2 was pulled by Mayor R. West for discussion under the regular calendar portion of the agenda.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve minutes from the regular City Council meetings on October 26, 2021; Reaffirm Resolution No. 34-21 Findings Related to the State of Emergency Due to Covid-19 Authorizing the City Manager to Continue to Implement Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361 (Stats. 2021. Ch. 165); Resolution No. 39-21 For a Participating Collaborative Jurisdiction and Resolution No. 40-21 authorizing the City Manager to cast the City's ballots in favor of the assessments being proposed in the election being conducted by Reclamation District 2103 and Reclamation District 817 (collectively, the "Reclamation Districts")**. Vote called – AYES: All. Motion carried.

3.2 City Manager J. Goodwin presented the staff report for discussion to Reaffirm Resolution No. 34-21 Findings Related to the State of Emergency Due to Covid-19 Authorizing the City Manager to Continue to Implement Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361 (Stats. 2021. Ch. 165). AB 361 was recently signed by the Governor of the State of California and went into effect immediately upon signature by the governor. It amends the Brown Act to allow local legislative bodies to continue having purely virtual meetings using teleconferencing and virtual meeting technology as long as there is a gubernatorial "proclaimed state of emergency," and either (1) state or local officials imposing or recommending measures that promote social distancing or (2) the legislative body finding that meeting in person would present an imminent safety risk to attendees. The key differences between prior Executive Order N-08-21, which expired September 30, 2021, and AB 361 is that AB 361 imposes particular requirements with respect to public comment. The City of Wheatland's current practices with respect to live public comment via Zoom already satisfy all of the new requirements in AB 361. Additionally, public agencies must either make findings by majority vote that the state of emergency still exists and continues to directly impact the ability of the members to meet

safely in person, or that health officials continue to impose or recommend measures to promote social distancing. Determinations by the local agency that the emergency impacts the ability to meet safely in person must be re-visited every 30 days. If Council meets in person, current OSHA requirements state unvaccinated persons must wear masks. In addition, we would need to offer some hybrid model that allows for remote participation for members of the public who cannot attend because of COVID 19 concerns. These hybrid models are not "problem free." A technological glitch in the meeting could prevent action in the meeting. Over the past several months the City has not observed any lessening of public participation in City Council meetings as a result of virtual meetings. Continuing the remote meetings would provide for a consistent meeting format until the pandemic emergency is lifted. On September 28, 2021, Council adopted Resolution No. 34-21 making the required findings under AS 361 in order to allow the City to continue to offer teleconference accessibility for public meetings after September 30, 2021, to help mitigate the spread of COVID-19. On October 26, 2021, Council voted unanimously to reaffirm Resolution No. 34-21 Authorizing Virtual City Council Meeting During Declared State of Emergency Pursuant to Government Code 54953 (AB 361).

Council Member P. Shelton commented that her neighbors cannot attend the meetings via ZOOM. Council Member L. McIntosh commented she prefers to attend via ZOOM until the State of Emergency is fully lifted.

Vice Mayor R. Coe commented he would like to return to public meetings using the hybrid model.

City Manager J. Goodwin commented that the Community Center now has a large screen tv that can be used for members of the public that would prefer to attend via ZOOM when City Council returns to 'in-person' meetings.

PUBLIC HEARING

1) Community Development Director T. Raney and Senior Planner K. Valente presented the staff report for City Council to introduce the ordinance to amend Chapter 18.67 of the Wheatland Municipal Code relating to Site Plan and Design Review and waive the first reading. On December 12, 2017, the Wheatland City Council adopted the City of Wheatland Community Design Standards. The adopted City of Wheatland Community Design Standards established an adopted and published set of design goals, objectives, and standards to assist developers in understanding the level of architectural design that is required in Wheatland for residential development (single-family residential, compact residential, and multi-family residential), commercial development (highway commercial and mixed-use commercial), and parks and open space. In addition, the design standards aid City staff's evaluation process of development applications for site plan and design review. The current City of Wheatland Municipal Code only requires Site Plan and Design Review for projects located in the Commercial Zoning Districts (C-1, C-2, and C-3). Therefore, if a project is permitted by right, such as a multi-family development in the R-3 Zoning District, staff does not currently have a process to review the design of the project for consistency with the City's existing community design standards except during building permit review. On September 8, 2020, the Wheatland City Council voted to give staff direction to begin preparing a draft ordinance to amend Chapter 18.67 of the Wheatland Municipal Code to implement the City of Wheatland Community Design Standards review process. Staff prepared the attached draft ordinance amendment to amend Chapter 18.67 of the Wheatland Municipal Code, which would require the existing City's site plan and design review process to be applicable to all proposed development projects in residential zoning districts with four or more units, as well as all proposed development projects in the industrial zoning districts. On October 19, 2021, the Wheatland Planning Commission recommended City Council adoption of the proposed ordinance. The City of Wheatland Community Design Standards were prepared in a public process with public ad-hoc committee meetings, in which staff received input from the public, planning commissioners, and city council members. The City of Wheatland Community

Design Standards includes goals, objectives, and standards for residential development (single-family residential, compact residential, and multi-family residential), commercial development (highway commercial and mixed-use commercial), and parks and open space Section VI. Plan Implementation of the City of Wheatland Community Design Standards identifies the implementation process for the adopted design standards. The architectural review process authorizes the Community Development Director to review, as a part of the site plan and architectural review process, certain development applications for conformance with adopted design standards. The Community Development Director (or designated staff) handles the task of architectural review for projects that do not require Planning Commission approval. When Planning Commission approval is required, such as a project requiring a conditional use permit, planned development or other entitlement, the Commission serves as the architectural review authority. When the Director or Commission determines that a project conforms to all applicable provisions of the City Code, the project is approved. The approval may be subject to conditions that bear a reasonable relationship to the nature and intensity of development and the potential impacts such development may generate. Before a building permit may be issued, the project must demonstrate compliance with all applicable conditions and codes. An ordinance has been prepared to implement the adopted City of Wheatland Community Design Standards. The ordinance provides a process for staff to implement the City of Wheatland Community Design Standards that was adopted by the Wheatland Planning Commission and the Wheatland City Council. If a project does not require planning commission approval (i.e., use permit or variance), planning staff and the Community Development Director would review site plan and design review requests for compliance with the City's adopted Community Design Standards. If the planning commission has project approval authority for a project (i.e., use permit or variance), the planning commission would also review and approve the site plan and design review request. In addition to the adopted City of Wheatland Community Design Standards, the proposed Site Plan and Design Review Ordinance includes the following principles of compliance: the development shall be compatible with the surrounding area; the development shall be compatible with the City of Wheatland's Community Design Standards or applicable planned development design guidelines; ingress, egress, internal traffic circulation, off-street parking and pedestrian ways shall be designed to promote safety and convenience; landscaping shall be provided for beautifying and enhancing a property, controlling erosion, and reducing glare. Landscaped areas shall be maintained in an attractive manner; existing trees shall be preserved wherever possible and maintained in a living condition; building diversity. Projects generally should provide variety in the design, size and massing of buildings. Repetitious design resulting in a monotonous similarity of appearance is to be avoided. Variety should not be contrived, but evolve from the requirements of the building, the materials and structural systems used. Design elements such as varied building setbacks, diversity in building heights, roof styles, and front entries are required. The staff report provided examples of what would be considered "contrived" diversity, and, although not prohibited, would not be considered sufficient in and of themselves for providing variation between buildings; exterior appearance and function. Exterior of buildings should be compatible with the neighborhood and should reinforce or improve the visual character of the environment surrounding the proposed building. Generally, building colors should be subdued and should not in any way attract undue attention to the building or site, architectural Consistency. There should be architectural consistency between all elevations of a building, including a consistent use of colors, materials and details, joined together in an interesting and harmonious but not monotonous design. False or decorative facade treatments wherein one or more unrelated materials are placed on the building should be avoided in new buildings, but may be used to upgrade older buildings when necessary to cause the older buildings to better fit their neighborhood surroundings unless the older building is of historic significance in which case its appearance should not be altered. All elevations need not look alike, but a sense of overall architectural continuity should be achieved, variety of Building Materials. The range of acceptable building materials is quite broad. The history and character of Wheatland favor the use of natural appearing materials such as wood, brick, stone, or stucco treated with

subdued colors. Extensive use of aluminum, reflective glass, plastic, enameled panels, and similar materials should be limited. Metal buildings are permissible, but their design should reflect the inherent quality of the material; the "trademark" type of building is generally undesirable and, if permitted at all, should be in commercial or industrial areas. Where permitted, such buildings should harmonize with the existing neighborhood; incidental Appurtenant Facilities (except energy conservation facilities). Mechanical equipment, electrical services, loading docks, storage areas, trash collection areas, and similar facilities including roof-mounted heating and cooling equipment should be screened from public view. The design of such screening should be compatible with the building structure and incorporated as an integral element in the design, Energy Conservation. All building designs should reflect energy conservation considerations. However, when energy conserving devices, such as solar heat collector panels are used, such devices should be to the extent feasible visually integrated into the design of the structure; items required from applicant for site plan and design review. Projects submitted for site plan and design review must be accompanied by a rendering showing the exterior appearance of all sides of the building(s); color samples showing the actual colors or a range of acceptable color choices; plot plan showing position of all buildings and major topographic features on the parcel; and landscaping plans for commercial, industrial, and all residential projects with four or more units. The proposed Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

No public comments were received from Council Members.

No public comment.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member J. Pendergraph to **introduce and waive the first reading of the proposed ordinance amending Chapter 18.67 of the Wheatland Municipal Code relating to Site Plan and Design Review.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) Police Chief D. Sylvester presented the staff report to replace Police Chief's vehicle. The City of Wheatland owns a variety of vehicles used for providing public safety services. Staff is recommending Council approve replacing the Police Chief's vehicle. The Chief's current vehicle has over 138,000 miles and has unrepaired body damage from a previous traffic collision. Price quotes were obtained from three local area Ford dealers: Geweke Ford, Folsom Ford and Future Ford. Folsom Ford met all the City's requirements at a cost of \$48,179.44. An additional \$18,500 is being requested to outfit the vehicle with safety lighting, electronics, etc.

Council Member P. Shelton commented on the previous traffic collision.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member P. Shelton to **authorize the City Manager to spend up to \$67,000 to purchase and outfit a 2022 Ford Police Interceptor Utility AWD vehicle for use by the Police Department.** Vote called – AYES: All. Motion carried.

REPORTS

- 1) Vice Mayor R. Coe reported on the YSEDC meetings and the Historical Resource Commission meeting.
- 2) Mayor R. West reported on the upcoming Annual Planning Session.
- 3) Council Member P. Shelton commented on traffic monitoring.

There being no further business, Mayor R. West adjourned the meeting at 6:27 p.m.

Minutes approved and adopted on this 23rd day of November 2021.

Rick West, Mayor

Lisa J. Thomason, City Clerk

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