

**NOVEMBER 22, 2022, MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 6:11 P.M.**

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

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

PLEDGE OF ALLEGIANCE: Council Member J. Pendergraph led the pledge of allegiance.

CONSENT CALENDAR

Motion was made by Council Member P. Shelton, Seconded by Council Member L. McIntosh to **approve Resolution No. 37-22 For a Participating Collaborative Jurisdiction (CalRecycle) and Reappointment of Justin Guzman to the Sutter-Yuba & Vector Control District.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for council consideration and adoption of Resolution No. 36-22 Approving and Employment Agreement with William Steven Wong for Position of Finance Director. William Steven Wong has been selected as the new Finance Director for the City of Wheatland. The agreement is for three years effective January 9, 2023, and terminates January 8, 2026, if not extended by action of the City Council.

Motion was made by Council Member J. Pendergraph, seconded by Council Member P. Shelton to **adopt Resolution No. 36-22 Approving and Employment Agreement with William Steven Wong for Position of Finance Director.** Vote called – AYES: All. Motioned carried.

2) City Manager Jim Goodwin presented the staff report for compliance with Assembly Bills 1236 and 970 related to electric vehicle charging stations, and Assembly Bill 2140 related to the adoption of the local hazard mitigation plan into the Safety Element of the General Plan. AB 970, codified in GC Section 65850.71, builds on AB 1236. Jurisdictions are required by AB 1236 to limit EVCS project review to health and safety requirements. AB 970 adds specific binding timelines to that review period based on the size of the project and clarifies parking requirements. AB 970 also clarifies that cities and counties shall reduce the number of required parking spaces by the amount necessary to accommodate the EVCS if the EVCS and associated equipment interferes with, reduces, eliminates, or in any way impacts the required parking spaces for existing uses. AB 1236 and AB 970 apply to all charging station installations and essential components and infrastructure necessary for charging station function. All cities in California are required to comply with AB 1236 and AB 970, and for cities with fewer than 200,000 residents, AB 970 shall become effective by January 1, 2023.

AB 2140 was passed in 2006 and allows California counties and cities to adopt a current, FEMA-approved, local hazard mitigation plan (LHMP) into the Safety Element of the General Plan. By adopting a LHMP into the Safety Element, the City is eligible to be considered for part or all its local-share costs eligible Public Assistance funding to be provided by the State through the California Disaster Assistance Act (CDAA). After a disaster occurs, the usual local share by the City or County is 25 percent of the total project cost. However, the CDAA allows the state to pay up to 18.75 percent of the non-federal, local share cost. Counties and cities that are AB 2140 compliant will be eligible to be considered for the remaining 6.25 percent local share to also be funded by the State. AB 2140 is not a requirement. It is an optional state incentive to help counties and cities become more resilient to natural hazards. The City's updated 2021 LHMP was previously approved by FEMA and adopted by City Council on January 25, 2022. In order to be AB 2140 compliant, the City's current 2021 LHMP must be incorporated into the Safety Element by resolution via a general plan amendment adopted by the Wheatland City Council.

Council Member P. Shelton asked to define open public lots, also does public lot identify as City Hall, and does this go to the current general plan or proposed general plan. Council Member L. McIntosh asked does the public have the right to say no they do not want this on the property. Council Member J. Pendergraph commented that the High School has some already and for the future committees do not forget about the grants. Raney gave a jurisdiction example of Target, or if Settlers Village asked then it would be considered an expedited process that the state requires us to do, and as opposed to residential, State was asked to wait for the upcoming general plan, the funds would expire, they need to be amended into the current general plan and into the updated general plan. The request would come from the property owner and help streamline the process.

Motion was made by Council Member P. Shelton, seconded by Council Member J. Pendergraph **to adopt Assembly Bills 2140 related to the adoption of the local hazard mitigation plan into the Safety Element of the General Plan.** Vote called- AYES: All. Motioned carried.

3) City Manager Jim Goodwin presented the staff report for Consideration of an agreement with ClearSource Financial Consulting for preparation of a water and sewer rate analysis. State law requires that water and sewer utility rates be reviewed periodically to ensure fair cost recovery for operation of the utilities. Ratepayers are then given the opportunity to "protest" proposed rate changes before they take effect. Wheatland last completed an analysis in 2018, and the rate schedule implemented then is expiring in September 2023. ClearSource Financial Consulting was retained to complete the last rate cycle analysis and was also utilized in 2020 to help protect impacts of regional sewer project alternatives. Based on the company's familiarity with Wheatland's utilities and potential changes to occur because of the regional sewer project, the company is a prudent choice for this current rate study. In addition, there is a need to get the project moving quickly to meet timelines associated with the regional sewer project funding. Based on the current timelines, staff believes the state will require rate information as a condition of funding for the regional sewer project later next year. The regional Sewer Ad-hoc Committee (Mayor West and Councilmember Pendergraph) reviewed the proposal and recommended approving the agreement. The proposed agreement has three key components: 1. Analysis of water rates, potential rate adjustments and preparation of Prop 218 notification. 2. Analysis of sewer rates, potential rate adjustments, and preparation of Prop 218 notification for existing services. 3. Analysis of projected sewer rates once a regional sewer project is implemented to determine any difference between "normal" rates (analyzed in #2 above) and the rates resulting from the regional project.

Council Member J. Pendergraph reiterated what City Manager J. Goodwin had to say and that it is a key to rain analysis.

Motion was made by Council Member L. McIntosh, seconded by Council Member P. Shelton **to adopt the agreement with ClearSource Financial Consulting for preparation of a water and sewer rate analysis at an amount not to exceed \$45,900 and direct the City Manager to sign.** Vote called- AYES: All. Motioned carried.

REPORTS

None

CLOSED SESSION

Canceled

Minutes approved and adopted on this 10th day of January 2023.

Rick West, Mayor

Lisa Thomason, City Clerk

DRAFT