

**DECEMBER 10, 2019 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30–7:50 P.M.**

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

OTHERS PRESENT

J. Goodwin, City Manager
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
S. Mahoney, Finance Director
A. Wightman, Police Chief
A. Paquette, Fire Chief
S. Riley, Deputy City Clerk

PLEDGE OF ALLEGIANCE:

Vice Mayor R. West led the pledge of allegiance.

Ceremonial Oath of office was administered by Police Chief Allyn Wightman to Police Officer Bishop Bastien.

PUBLIC COMMENT

Chris Walsh commented on the Bishop Pumpkin Farm meeting and the November 26th City Council meeting cancellation.

COUNCIL REORGANIZATION AND SELECTION OF MAYOR AND VICE MAYOR

Council Member J. Henderson nominated R. West as Mayor. With no other nominations, the motion was Seconded by Council Member J. Pendergraph. Vote called – AYES: Henderson, Pendergraph, Coe, McIntosh and West. Motion carried.

Council Member R. West nominated J. Pendergraph as Vice Mayor. With no other nominations, the motion was Seconded by Council Member R. Coe. Vote called – AYES: West, Coe, Henderson, McIntosh and Pendergraph. Motion carried.

CONSENT CALENDAR

Motion was made by Vice Mayor J. Pendergraph, Seconded by Council Member R. Coe **to approve minutes from the regular City Council meeting on November 12, 2019; Resolution No. 43-19 For a Participating Collaborative Jurisdiction (CalRecycle) and Fiscal Year 2019 Audited Financial Report.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for discussion and consideration to adopt a resolution approving a Letter of Intend of GCL New Energy, Inc. to lease city-owned property at the wastewater treatment plant. City staff was approached by Zack Anawalt, Senior Project Manager, Energy

Storage, GCI New Energy, Inc. with a proposal to locate a battery energy storage facility in Wheatland. GCI New Energy Inc. energy storage facilities are, fully enclosed within shipping containers on concrete pads. The facilities must be located within two miles of a PG&E substation. Sites must be a minimum of 5,000 square feet. Staff met with Mr. Anawalt and determined that there is property available at the wastewater treatment plant that meets the basic site parameters. Before entering into a lease for the site, GCI New Energy will complete a full site analysis including environmental review. The letter of Intent states the relationship of the City of Wheatland and GCI New Energy during this Due Diligence Period. GCI New Energy, Inc. will have one year to complete the site analysis and will pay a non-refundable fee of \$3,500. During this period final details of the lease will be completed. GCI New Energy, Inc. has the option to extend the Due Diligence Period an additional 12 months at a cost of an additional \$3,500. If the site is determined suitable during the Due Diligence Period, GCI New Energy has proposed a 10-year lease of the site starting at \$2,500 per month, with a three percent (3%) annual increase each year of the lease, and an option to extend the lease another 10 years. The final lease would come back to Council for approval at that time. The letter of Intent was reviewed by the City Attorney and has been agreed upon by both Mr. Anawalt and the City Attorney.

Council Member J. Henderson commented on anything hazardous in containers.
Mayor R. West commented on the lease amount and a requirement of fire training.

Motion was made by Council Member J. Henderson, Seconded by Vice Mayor J. Pendergraph to **approve Resolution No. 44-19 Directing the City Manager to Execute a Letter of Intent with GCL New Energy, Inc. to Lease Property at the Wastewater Treatment Facility.** Vote called – AYES: All. Motion carried.

2) City Engineer Dane Schilling presented the staff report for the Wastewater Treatment Alternatives Analysis. The City's existing wastewater treatment plant was constructed in the 1960's and was designed to accommodate a population of approximately 8,000 to 10,000 residents. The plant's age, location and increasing regulatory requirements will make operating the plant and/or expanding the plant at its current location difficult and expensive. Most of the remaining capacity of the plant is committed to developers who have paid in advance to reserve sewer treatment capacity for their developments. Other developers interested in Wheatland have been highly discouraged by lack of available wastewater capacity, and the prospect of spending significant money and time to build more capacity in the City when other jurisdictions can provide immediate capacity. The lack of available wastewater capacity is the City's greatest impediment to growth as wastewater flows are projected to eventually increase to 3.82 MGD at buildout of the General Plan. This report considers five alternative approaches to addressing the lack of wastewater treatment capacity, serving existing customers, and the relative capital costs and sewer rates associated with the two most feasible alternatives.

Vice Mayor J. Pendergraph commented on flooding and flood plains, OPUD sewer treatment plant, CalPERS, OPUD bond or loan for initial treatment plant, sewer rates for residents and stated he prefers owning vs. leasing. Council Member L. McIntosh commented on available land in Wheatland for a Wastewater Treatment Plant. Council Member J. Henderson commented on OPUD and Linda capacity, reserved areas and facility build out. Mayor R. West commented on LAFCo annexation and formation of and appointments to a Wastewater Treatment Alternatives Ad-Hoc Committee.

City Manager J. Goodwin stated no motion was necessary for this agenda item. The item will be brought back on the January 14, 2020 city council meeting where an Ad Hoc Committee will be appointed.

3) Finance Director S. Mahoney presented discussion of consideration to adopt a resolution amending the City of Wheatland Personnel Rules. The City Council is authorized and directed under the Wheatland Municipal Code to adopt rules for the administration of the City's personnel system. The Wheatland Personnel Rules were last amended in 2008 and needed significant updates to ensure compliance with current labor laws and best practices. The City contracted with the legal firm Best Best and Krieger to update the Rules to reflect

current labor laws. These services were paid for with a grant from the City's insurance carrier, PARSAC. Updates include revisions to policies regarding; equal employment opportunity/non-discrimination, reasonable accommodation, harassment and retaliation, records and confidentiality, complaint procedures, employment status, classification and appointment, fitness for duty and employment medical exams, FMLA and sick leave catastrophic leave donations, drug and alcohol-free workplace, vacation and compensation time off (CTO) accruals and definitions for Regular Employees, Full-Time Employees, and Part-Time Employees. In addition to the required legal updates provided by Best Best and Krieger, updates were agreed upon by the City's three employee organizations (General Employees, Police Officers, and Sergeants) and City administrative staff: probationary period changed from 6 months to 12 months; eligibility for first merit increase for new hires changed from 6 months to 12 months; vacation leave can be taken in 15-minute increments (previously not addressed in the Rules); sick leave can be taken in 15-minute increments (changed from one-hour increments); an employee's vacation accrual is based on years of service and the "use it or lose it" vacation policy (illegal under current California law) was replaced with a "maximum accrual of 1.5 times an employee's annual vacation accrual amount". The amended Rules call for a payout on December 1st of each year of the vacation time accrued and unused that is in excess of 1.5 times an employee's applicable annual vacation maximum accrual.

Mayor R. West commented on adding a reference to the City's Purchasing Policy to the document. Council Member L. McIntosh commented on the employee negotiation structure.

Motion was made by Council Member R. Coe, Seconded by Vice Mayor J. Pendergraph to **approve Resolution No. 42-19 Amending the City of Wheatland Personnel Rules Pursuant to the Meyers-Milias Brown Act.** Vote called – AYES: All. Motion carried.

7:40 P.M. MEETING ADJOURNED TO THE REGULAR MEETING OF THE WHEATLAND FINANCING CORPORATION

7:44 P.M. REGULAR CITY COUNCIL RECONVENED

REPORTS

Vice Mayor J. Pendergraph reported on the FRAQMD award of a bus to the Wheatland High School. Police Chief A. Wightman said farewell and thank you to all City Council Members and staff.

ADJOURN

There being no further business, Council Member Jay Pendergraph adjourned the meeting in memory of Paulette Lasagga at 7:50 p.m.

Minutes approved and adopted this 13th day of January 2020.

Rick West, *Mayor*

Lisa J. Thomason, *City Clerk*