

**DECEMBER 3, 2019 MINUTES
SPECIAL WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30–8:25 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

6:35 P.M. MEETING ADJOURNED FOR CLOSED SESSION

6:40 P.M. MEETING RECONVENED

Mayor J. Henderson reported that it was decided during the closed session to promote Damiean Sylvester pending City Manager J. Goodwin's finalization of contract to the role of Police Chief.

PLEDGE OF ALLEGIANCE:

Mayor J. Henderson led the pledge of allegiance.

PUBLIC COMMENT

Pamela Shelton commented on government oversights, policies in regard to businesses in the community, buildings and health and safety concerns.

CONSENT CALENDAR

Motion was made by Council Member R. Coe, Seconded by Council Member R. West **to approve Resolution No. 41-19 designation Jim Goodwin, City Manager, signatory for the Senate Bill 2 Planning Grants Program provided by the California Department of Housing and Community Development.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

Department Heads presented the staff report for review of Bishop Pumpkin Farm Operations in the City of Wheatland. Bishop's Pumpkin Farm (Bishop's) has been in continuous operation at the current location since 1973. Bishop's is one of the top employers in Yuba County supporting approximately 600 seasonal jobs. In 2012, the property was annexed into the City of Wheatland and the site is under the jurisdiction of the City Council. For the past several City Council meetings some residents have appeared during public comments requesting you to devote time specifically to review the issues surrounding the current operations of Bishop's and hear comment from residents. This Special Meeting has been scheduled for that purpose. The staff report

contains a comprehensive history of the City of Wheatland's relationship with Bishop's and all City Council decisions related to Bishop's. Staff will be available in the meeting to review each section of this report.

Community Development Director Tim Raney presented the Planning portion of the staff report. Bishop's Pumpkin Farm offers year-round agricultural tourism related activities, including a pumpkin festival, hamburger farm" and other special events. The pumpkin festival consists of the growing and selling of pumpkins, hayrides, pony rides, corn maze, petting zoo, pig races, and train rides. Retail services for food, baked goods, candy, and specialty items are also included. The year-round special events include company picnics, birthday parties, and community events such as a 5k Pumpkin Run/Walk for the Red Cross. In 2010, the City and Bishop's identified the mutual benefit of annexing the farm into the City. Primarily, Bishop's would receive municipal sewer and water services and the City would receive additional revenue from the Farm's admissions. The Planning portion of the staff report addressed: Planned Development, Annexation Approval, Development Agreement, Development Agreement Amendment No. 1, Development Agreement Amendment No. 2 and other permits.

City Engineer Dane Schilling presented the Engineering and Traffic Management portion of the staff report. Traffic generation by Bishop's Pumpkin Farm directly impacts the City because the Bishop's only permanent legal access is from the westerly end of Fourth Street. From the westerly end of Fourth Street (which is also the City limit) Bishop's has a recorded easement across the parcel known as Rodden Ranch. The associated two-lane road in the easement runs approximately 2,000-feet along the entire northerly boundary of Rodden Ranch then turns, left on Pumpkin Lane to run approximately 750-feet along the' westerly boundary of Roddan Ranch to the entrance to Bishop's. Bishop's has widened the paved area of the private access road in recent years to better accommodate increasing 2-way traffic flows and enhance pedestrian safety for walk-in customers. Before Bishop's was annexed into the City, the City had little to no direct dialogue with Bishop's operators regarding traffic management and traffic handling. In August of 2010, the City and Bishop's collaborated to apply to Caltrans for the installation of Tourist-Oriented Directional Signs (TODS). The purpose of TODS is to increase awareness of and provide directional highway signs to off-highway tourist destinations such as farms and wineries. The City's application was rejected by Caltrans because the segment where the signs were proposed was within the City limits and Caltrans restricts TODS signs to unincorporated areas only. This was the first joint attempt by Bishop's and the City of a coordinated traffic management approach before annexation of Bishop's into the City. Before annexation, all traffic was routed through Fourth Street. down Roddan Lane to Pumpkin Lane. The greatest traffic impacts were realized at the following locations: the intersection of Fourth Street and E Street with severe congestion to the point of a break-down of four-way stop controls (motorists were blocking the intersection as they competed for the first available position in line). Police intervention was required at peak times; bottle necking at the utility pole, at the westerly end of Fourth Street. This was exacerbated by neighbors who deliberately parked along the street and resulted in one-way traffic (alternating directions), delays to emergency vehicles and altercations; prolonged traffic back-ups within the E Street neighborhood which generated complaints from residents about vehicles blocking driveways, not being able to cross or enter traffic and noise and exhaust from idling vehicles and traffic clogging the Main Street traffic signal and the associated traffic back-ups south of the Bear River. After Bishop's annexation into the City, the City and Bishop's began open dialogue with regard to traffic impacts and began to explore ways to better manage traffic in the City. In 2014 the City began an effort to route highway traffic through the City's traffic signals at First Street and Main Street. This effort: was based on the fact that First Street and Main Street are arterial roadway which are designed for higher traffic volumes and the fact that traffic signals can manage higher volumes of traffic efficiently and safely. Northbound traffic (from Lincoln) was encouraged to make a left turn at the Main Street signal and proceed to E Street Southbound traffic (from Marysville) was encouraged to turn right at the First Street signal and proceed to E Street. The City and Bishop's agreed to use the shared funds to purchase two changeable message signs to facilitate this change. The City continues to use these signs for the event and for other City uses. In 2014 a decision was made also to make a more direct and efficient connection to Roddan Lane vial a gravel road connection from the westerly end of Main Street to Roddan Lane. This connection solved the problems associated with the utility pole constraint on Fourth Street and better

utilized the traffic signal at Main Street when coupled with discouraging vehicles from entering the side streets that lead to E Street. Eventually, Caltrans agreed to modify the signal timing at Main Street during the event period to allow more time' for northbound left-turns to clear the highway and get onto Main Street. In 2019 the Main Street connection to Roddan Lane was paved to reduce the dust associated with the initially constructed gravel surface. Permission from the Roddan Ranch owners has been granted on a year to year basis and is expected to continue until Main Street is extended to the west by the property owners in connection with their previously proposed development. As long as Bishop's has permission from the Roddan Ranch owners it is appropriate to access the property from the current terminus of Main Street. In 2015 the City eventually persuaded and assisted Bishop's in obtaining permission from a property owner along Wheatland Road (Caliterra Ranch) to allow a second access point to Bishop's from Wheatland Road for peak days. The permission from the Caliterra Ranch owners has been granted on a year to year basis and is expected to continue until the development progresses, to a point of precluding the temporary access road. At that time the City intends to have the extension of Main Street completed to Wheatland Road which will negate the need for the temporary access. The Wheatland Road connection was first used in 2015 as an exit only. It was expanded to an entrance and exit in 2016 with the addition of parking ticket booths by Bishop's, and it continues, to be used on peak weekend days to relieve traffic from the Main Street access. The Engineering and Traffic Management portion of staff addressed Main Street Designation in the Wheatland General Plan.

Finance Director Susan Mahoney presented the Finance portion of the staff report. Financial activity for the Bishop Pumpkin Farm consists of the Admission Fee Revenue and Public Works and Public Safety Expenses Under the development agreement between the City of Wheatland and Bishop's dated January 11, 2011, Bishop's agreed to collect and pay to the City an Admissions Fee equal to 5% of the price of any Admission Charge collected on activities. Per the agreement, 50% of the collected revenue was deposited in the City's General Fund to offset public works and public safety costs. The remaining 50% was deposited in the City's Joint Admission Fund to be used for any public project agreed upon by the City and the Farm. Under the first amendment to the development agreement dated September 26, 2017, the City and Bishop's agreed to deposit 60% of collected revenue in the General Fund and 40% in the Joint Admission Fund. Admission fee revenue for fiscal year 2020 has not yet been received. Each year, the General Fund Admission Fee revenue is used to offset staffing and supply costs associated with Bishop's activities. The Joint Admission Fund has been used to purchase signage and pay for contract services related to farm operational impacts. In August of 2019, Council committed to using a large portion of the Joint Admission Fund balance to pay for road paving between Main Street and Roddan Lane and on Wheatland Road. The current balance in the Joint Admission Fund is \$93,621. After completion of the paving projects it is anticipated that the fund balance will be approximately \$5,000. The City has not yet received all revenue and expense information for the 2019 Bishop's season. A full accounting of the 2019 financial activity will be reported in the February 2020 mid-year budget.

Police Chief A. Wightman presented the Public Safety portion of the staff report. Prior to enacting the current traffic directional changes resident complaints were focused on traffic congestion on Hwy 65 entering Wheatland from both SIB & NIB directions. The majority of complaints were at the 4th St. entrance onto Pumpkin Ln. (the only entrance the time) and streets between Main and First west of Hwy 65. When the new traffic patterns were established in 2017, officers were assigned traffic control duties during peak weekends that monitored both entrance locations and surrounding streets. For 2019, the specific assignment for officers on peak weekends were to: monitor traffic covering both entrances as before, increase police presence/enforcement on Main Street, including setting up radar trailers to reduce speed on Main S1. entering and exiting Bishop's, patrol the grounds of Bishop's to reduce the potential of an active shooter incident like the one that recently happened at the Garlic Festival in Gilroy. This was done as often as possible with the limited personnel available. Residents commenting at City Council meetings during the' last several meetings have said there has been an increase in criminal activity, specifically on Main St. west of Hwy 65. One such complaint was that a resident had a delivery package stolen from the front porch. This incident was not reported to the police department. The majority of complaints received by Yuba Co. dispatch were traffic related issues on

Main St. Specific incidents that required a police response in direct relationship to the Bishop's season were: two traffic collisions, one DUI (coming into town going to Bishop's), four traffic citations and two counterfeit investigations at Bishop's.

Council Member J. Pendergraph stated the Fire Department was directed to review call logs for incidents during the Pumpkin Farm season and none were found except for the two traffic collisions reported by the Police Department.

Fire Chief Art Paquette commented that responses to incidents were less this year than previous years.

Council Member R. West and City Manager J. Goodwin commented on the annual Planning & Community meeting related to traffic.

Mayor J. Henderson commented on arterial design and traffic to the Pumpkin Farm.

Public Comment

Pam Walsh commented on public safety, traffic incidents and speeding, incident not reported of almost being hit by a car, when the Wheatland Road was open on the weekends, impacts of traffic on residents, paving of Main Street, number of employees and an impact study.

Pam Shelton provided Council Members with information related to EPA regulations and noise ordinance. Shelton commented on traffic, speeding, safety concerns, children playing in yard, paving of Main Street, presence of law enforcement, improper cross walks and sidewalks and deliveries and noise.

An unidentified speaker commented on safety on streets and traffic accidents.

Fred Shelton commented on the Bishop Pumpkin Farm agreement, road repair, admission fees and reporting, planned development

An unidentified speaker commented that he has lived in Wheatland for 25 years and commented on support of Bishop's and their support of community especially for sport participation for less fortunate children, Pumpkin Farm is an asset to the community.

Principal of WUHS commented on Bishop's support of local students in educational opportunities and participation in school activities.

Chris Walsh commented on Bishop's contribution to the community, constant traffic, property value, traffic options, destruction of neighborhood, street signs, police presents

Resident at 607 Main Street commented on the number of cars during the Pumpkin season, weekday traffic during school hours, good experience with Pumpkin Farm over the years, considers the Pumpkin Farm an asset to the City.

Tami Holland Davis commented on job fair, fund raisers for support of non profit organizations, great for the community, revenue for the City, property values not affected by the Bishop Pumpkin Farm and people interested in purchasing property in the City are made aware of the Bishop Pumpkin Farm.

Shelly Stinson commented on the impact on students attending the Bear River School, employees, admission fees and benefits to the City and the Pumpkin Farm has an amazing business model that benefits the community.

Sue Abe commented on traffic, the benefits the Farm has on children in the community and local employment.

Unidentified speaker commented on living on Main Street and traffic impacts.

Wayne Bishop commented on the City organizing this meeting, traffic, requested the City to stop scheduling this type of meeting.

Roger Abe commented on traffic on Main Street, traffic signal, feels that as a property owner on Main Street he does not feel people have the right to control local business and the community is better off with Bishop Pumpkin Farm.

Austin Bishop commented on erroneous facts and lies about his family members and requested Council Members to stop scheduling this type of meeting.

Council Member R. Coe commented on the inconvenience involved from the Pumpkin Farm season, but it can be dealt with on a staff level.

Vice Mayor R. West commented on audience attendance and participation.

Council Member J. Pendergraph commented on business rights to operate, opportunities for local children, the Pumpkin Farm experience, impact on roads and Bishop's contributions to the community. Pendergraph added he does not feel the need to hold this type of meeting in the future.

Council Member L. McIntosh commented on traffic during the Pumpkin Farm season and stated everyone has a choice to live in a community and she supports the Bishop Pumpkin Farm.

Mayor J. Henderson stated that the Bishops are a great neighbor for the City, and he appreciates audience participation in this meeting.

Joe motioned, suspend traffic meeting until a bigger issue that warrants them. Seconded by L. McIntosh

ADJOURN

There being no further business, Mayor J. Henderson adjourned the meeting at 8:25 p.m.

Minutes approved and adopted this 28th day of January 2020.

Rick West, *Mayor*

Lisa J. Thomason, *City Clerk*