

**JANUARY 22, 2019 MINUTES  
REGULAR WHEATLAND CITY COUNCIL MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:30 –7:48 P.M.**

**COUNCIL MEMBERS PRESENT:** R. Coe, J. Henderson, \*L. McIntosh, J. Pendergraph  
R. West  
ABSENT – J. Pendergraph  
\*Council Member L. McIntosh arrived at 6:35 p.m.

**OTHERS PRESENT** J. Goodwin, City Manager  
T. Raney, Community Development Director  
J. Buckman, City Attorney  
S. Mahoney, Finance Director  
A. Wightman, Police Chief  
A. Paquette, Fire Chief

**PLEDGE OF ALLEGIANCE:**

Council Member R. Coe led the pledge of allegiance.

**PUBLIC COMMENT**

None.

**Yuba Water Agency Dede Cordell presented information to Council Members and audience regarding flood risk reduction, water supply, hydropower, fisheries and recreation.**

**CONSENT CALENDAR**

Mayor J. Henderson stated he wanted to pull Consent Calendar No. 3.2 for further discussion.

Motion was made by Vice Mayor R. West, Seconded by Council Member R. Coe to **approve minutes of the regular meeting on January 8, 2019.** Vote called – AYES: All. Motion carried.

3.2 Finance Director Susan Mahoney introduced discussion of the Fiscal Year 2018 Audited Financial Report.

Mayor J. Henderson commented on pages 15 & 86 of the report.

Motion was made by Vice Mayor R. West, Seconded by Council Member R. Coe to **receive and file Fiscal Year 2018 Audited Financial Report.** Vote called – AYES: All. Motion carried.

**REGULAR CALENDAR**

1) City Manager J. Goodwin presented the staff report for adoption of a resolution accepting the final report from Clearsource Financial and approve mailing of a Notice of Intent to adjust water and sewer rates. On December 11, 2018, Council directed staff to prepare a Notice of Intent to Adjust Water and Sewer Rates based on the outcome of the rate study conducted by Clearsource Financial. Previously the City Council approved an agreement with Clearsource Financial for review of both water and sewer rates and

recommendations for adjustment of those rates. An Ad-hoc committee including Mayor Joe Henderson and Vice-Mayor Rick West subsequently was appointed to work with the consultants. Ad-hoc Committee meetings were held in November 2017, January 2018, October 2018 and November 2018. The primary objective of these discussions was to develop a rate proposal that meets current legal standards and operational needs while being sensitive to impacts on the rate-payer. Conclusions were reached through these discussions included revising the rate structure in order to meet best practices standards. The Ad-hoc Committee members challenged staff to bring forward a proposal that minimizes impact on the rate-payers. Staff presented information to the Ad-hoc Committee members demonstrating that rate adjustments are necessary. At the December 11, 2018 and January 8, 2019 City Council meetings, the full City Council discussed options and endorsed a final rate proposal. The final rate report will be presented to Council for adoption at this January 22 meeting. Once Council approves the report and the distribution of a notice, the notice will be prepared and mailed to all current water and sewer utility customers and/or owners of property served by the utilities. The customers and/or property owners will have a minimum of 45 days from the date the notice is mailed to submit written protests. All written protests must be received by the close of the Public Hearing to be held on March 26. Only one protest per parcel of property served by the utilities can be counted. Council may adopt the proposed rates unless a valid written protest is received from fifty percent plus one of the affected parcels.

Resident Charlie Coty stated he is representing other residents in Wheatland that live on a fixed income and the proposed rate structure will cause unkempt yards. Coty added that the City will increase overtime for Public Works employees in order to keep up with noticing and 'shut offs'.

Mayor J. Henderson clarified the proposed rate for Mr. Coty.

Vice Mayor R. West gave an example of what the proposed rates would look like in a future water/sewer bill.

Motion was made by Council Member R. Coe, Seconded by Vice Mayor R. West to **adopt Resolution No. 06-19 Receiving Findings of the Water and Sewer Rate Study, Declaring Intention to Adjust Water and Sewer Rates, Setting a Public Hearing Date, and Directing Staff to Proceed with Mailing the Required Notice of the Proposed Adjustments.** Vote called – AYES: All. Motion carried.

2) Finance Director Susan Mahoney presented the staff report for Community Center Rental Fees. The Wheatland Community Center is rented for public and private events on a first-come, first-served basis. Rental fees are charged based on the Group Classification of the renter. The Center can be rented by the hour or by the day. The three areas of the Center (Main Hall, Kitchen, Conference Room) can be rented out separately or together. Currently only one rental is allowed per weekend. The renter picks up the keys at City Hall during business hours on Friday and returns them the following Monday. In the past, a part time staff person was assigned to open and close the center for each event allowing for multiple rentals during a weekend. Proof of insurance and a deposit are required of all renters regardless of the fee amount. The initial Community Center fees were set when the Center was first opened in April 2007. Since then, the fees have been adjusted twice – in August 2008 and November 2009. The fees have not been adjusted since November 2009. Staff has reviewed the Community Center fees to determine if adjustments would increase usage and/or increase cost recovery. The review focused on cost recovery, types of usage, and comparable venues. Staff's analysis revealed; the users of the Center are typically Wheatland residents and government agencies; fee adjustments in 2008 and 2009 did not have an impact on use; fees have not been adjusted since 2009. Costs to maintain the Center continue to increase; other local area venues are not in competition with the Wheatland Center due to the unique characteristics of the various facilities and restoring the rates to the April 2007 are not likely to have an impact on usage and would provide additional cost recovery. Staff recommends that Council restore the rental fees to their April 2007 level and require a review of the fees each year along with the City's other fees. Staff also recommends that holiday events open to the public at no cost be added as a Group 1 event and that the rental of tables and chairs be discontinued.

Vice Mayor R. West commented on the upgrade of the kitchen.

Mayor J. Henderson proposed to limit the cost of Group 2 to a 6 hour day for use of the main hall in the amount of \$270 per day.

Council Member L. McIntosh stated that funeral events should be changed to Group 2. McIntosh also commented on the requirement of security at events that are serving alcohol.

Mayor J. Henderson stated Political Fund Raisers should be in Group 4 of the Group Classifications.

Vice Mayor R. West stated he will not support loss of revenue in the proposed rates.

Motion was made by Mayor Henderson, Seconded by Council Member R. Coe to **approve Resolution No. 04-19 Regarding Adoption of Community Center Rental Fees with the exception of a new rate for use of the main hall in Group 2, for \$270 per day.** Vote called – AYES: Henderson, Coe. NOES: West, McIntosh. Motion failed.

Motion was made by Council Member L. McIntosh, Seconded by Vice Mayor R. West to **approve Resolution No. 04-19 Regarding Adoption of Community Center Rental Fees as presented with the exception of adding funeral events to Group 2 for use of the main hall at \$360 per day and changing Political Fund Raisers to Group 4.** Vote called: AYES: McIntosh, West and Coe. NOES: Henderson. Motion carried.

3) City Engineer Dane Schilling presented the staff report for termination of emergency status for the Malone culvert failure. Malone Avenue was established with other roads in Wheatland at incorporation. Malone Avenue crosses over South Grasshopper Slough (formerly Baxter Slough) approximately 400-ft south of Main Street. The road was constructed over the slough with an elliptical corrugated steel plate arch culvert (“culvert”) that is approximately 5-ft tall by 8-ft wide. The steel plates are bolted together and secured to the ground with two concrete footings along the bottom edges of the culvert. The culvert has a soil invert (natural bottom) and the cover over the pipe is very thin at approximately 18- to 20-inches. A high-pressure gas main, telephone duct, a water main and sewer mains cross under, over and around the culvert. In recent years the southerly footing sheared apart and displaced vertically near the middle of the structure. City staff has been monitoring the condition of the structure for several years. On March 22, 2018, City staff became aware that the culvert was failing catastrophically during a storm event and the road was closed due to safety concerns. Malone Avenue is the primary access to the City’s wastewater treatment plant. Staff made arrangements with Reclamation District 2103 to use the Bear River Levee as an alternative means of access. However, making left-turns from the levee road onto Highway 65 is difficult due to limited sight distance combined with highway speeds, and even more difficult in larger utility vehicles. Staff recommended performing the removal of the existing structure and backfill under an emergency resolution to ensure removal can be completed before seasonal run-off began in South Grasshopper Slough. On July 24, 2018, Pursuant to California Public Contract Code 22050 the City Council found that the situation warranted emergency action and authorized emergency contracting for repairs to the Malone Avenue Culvert. The City Council voted to continue the emergency action at subsequent Council Meetings as required by the Public Contract Code. On September 24, 2018, the City received bids for the removal of the failed culvert and awarded a contract to B&M Builders in the amount of \$41,725. During the course of the removal work it was discovered that a City’s force main, a small waterline and a small natural gas service were constructed over the culvert causing the need to revised the scope of the contractor’s work and issue a change order relocate these utilities. The work performed by B&M is nearly complete and Phase 2 design work is underway. Staff anticipates bidding the second phase (the new culvert) in April 2019. With the completion of the removal work, the waterway is now clear of obstructions and storm water may flow freely. The roadway remains closed until Phase 2 is complete. Replacement of the culvert will not be possible until the engineering design is completed, and the slough is dry enough for excavation to commence.

Mayor J. Henderson commented on the gas line and the sewer force main.

Motion was made by Vice Mayor R. West, Seconded by Council Members L. McIntosh to **adopt Resolution No. 05-19 Terminating a Finding for Emergency Action Regarding the Failure of the Malone Avenue Culvert over South Grasshopper Slough**. Vote called – AYES: All. Motion carried.

4) City Manager presented the staff report to review and discuss the draft 2019 City of Wheatland Community Economic Development Action Plan. On December 1 last year, Council met with the City Manager and Department Heads for a half day planning session. This draft plan was crafted based on that discussion, prior community visioning completed as part of the General Plan update, internal surveys of Council Members and staff, and the experience of the management team. Based on comments received on this draft, the final plan will be presented to Council for adoption at the February 12 City Council meeting. Once adopted, the plan will be used to guide action throughout the year and measure accomplishment. It is designed to be flexible and adaptable to changing conditions within the City. Staff will provide an update to Council on implementation in late summer, and a final report near the end of the year.

## REPORTS

Council Member R. Coe reported on the Homeless Coalition webinar.  
Mayor J. Henderson reported on the Proclamation of John Sohrakoff.

## ADJOURN

There being no further business, Council Member J. Henderson adjourned the meeting at 7:45 p.m.

Minutes approved and adopted this 8<sup>th</sup> day of January 2019.

  
\_\_\_\_\_  
Lisa J. Thomason, *City Clerk*

  
\_\_\_\_\_  
Joseph Henderson, *Mayor*