MARCH 23, 2021 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30 – 6:55 P.M.

COUNCIL MEMBERS PRESENT: R. Coe, J. Pendergraph, *P. Shelton, R. West
ABSENT- L. McIntosh
*Council Member P. Shelton arrived at 6:35

OTHERS PRESENT: J. Goodwin, City Manager
S. Mahoney, Finance Director
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
D. Sylvester, Police Chief
K. Giurbino, Utility Billing Account Clerk

PLEDGE OF ALLEGIANCE: Council Member R. Coe led the pledge of allegiance.

PUBLIC COMMENT: None.

CONSENT CALENDAR

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe to **approve minutes from the regular City Council meeting on March 9, 2021.** Vote called – AYES; All. Motioned carried.

REGULAR CALENDAR

1) Community Development Director Tim Raney presented the staff report to Council provide direction to staff to coordinate and prepare an agreement with the project proponents for the proposed senior living affordable housing project; located southwest of the intersection of First Street and E Street. At the January 12, 2021 City Council meeting, the project team consisting of AMG Associates, the Regional Housing Authority, and Pacific West Communities introduced themselves and presented two potential affordable housing projects in the City. The first location discussed was the senior living affordable housing project located on a 2.25-acre vacant site at First and E Streets currently zoned R-3 (Multi-Family Zoning District). The senior affordable project was described as a 32-unit age-restricted project with open space and amenities, including a 2,046-square-foot community center (kitchen, community room, office, meeting space, and fitness center), pergola with bocce ball, garden, and dog park. Conceptual photo simulations have been included as Attachment 3 to this staff report. It should be noted that the 2.25-acre project site is currently zoned R-3 with a maximum dwelling unit capacity of 30 dwelling units per acre. The proposed 32-unit project on this 2.25-acre site would result in a density of approximately 14 units per acre. The proposed project is currently proposing to develop the site approximately less than half of the maximum unit buildout potential. In addition, multi-family units tend to have a lower person per household than single-family units, and senior housing typically has a lower person per household than multi-family units. Staff received a letter from the Regional Housing Authority outlining a request for financial assistance from the City of Wheatland regarding the proposed Wheatland Senior Affordable Project. In general, the applicant team

is seeking the following terms of an agreement: a $650,000 City Development Impact Fee loan from the City (3 percent simple interest, 55-year term, payments based on residual receipts); the Wheatland City Council approve a resolution for the City to apply for funding using U.S. Department of Housing and Urban Development's (HUD) HOME Program when the Notice of Funding Available (NOFA) is released in May 2021 and the applicant team would construct a 2,046-square-foot community center that would be open for public use for seniors in the community and service groups like Wheatland's current Senior Citizens group, Lions, etc. instead of a 1,000-square-foot private community building. The applicant team has requested a deferral of $650,000 of the total impact fees due at building permit for the proposed project. City staff has identified that the proposed project, including the community center, would generate a total of $1,153,672.70 in development impact fees. City staff has identified specific impact fee categories that would remain fully funded with the payment of the remaining development impact fees required. These funding categories include fire protection, roads, and wastewater collection and treatment. The water distribution would be deferred at 50 percent because the site is currently served with City water supply. The remaining fees would be subject to the 55-year repayment schedule, including police facilities, storm drainage, general government, public meeting space, and parks. Staff believes that the City currently has adequate facilities to accommodate the proposed project. It should also be noted that the project would provide a new approximately 2,000 square-foot community center which would cost an estimated 1,000,000 (assuming $500 per square foot construction cost) if the City of Wheatland were to build this facility. If the City Council supports the applicant team's request, the City will apply for project funding per HUD's Home Program to loan to the project team for project construction. In addition, the applicant will receive a $650,000 deferral in City Development Impact Fees as a loan with a 55-year repayment schedule at a three (3) percent simple interest rate. The loan would be secured with a Deed of Trust. Staff recommends that if the council supports the development impact fee deferral with a loan, that the loan would be contingent upon the completion of the new community center and availability of the center to Wheatland service groups. If the community center were to not be constructed, all impact fees would due and payable immediately.

Mayor R. West questioned if the city would receive property tax on the proposed project and wondering if the project will come back to Council for another approval.
Council Member P. Shelton questioned if the anticipated community center will be open for use upon completed, expressed concern about parking spaces along established house and was curious as to if our current senior center has a full kitchen of warming kitchen.
Resident D. Panteloglow commented on the current senior center and associates having full access to the project's process and question if utilizing the current senior, they will have to be responsible for insurance and taxes under the new name.

Motion was made by Vice Mayor R. Coe, Seconded by Council Member J. Pendergraph **to provide direction to staff to coordinate and prepare an agreement with the project proponents for the proposed senior living affordable housing project.** Vote called – AYES: All. Motion carried.

2) City Engineer D. Schilling presented the staff report for Council on the Advanced Metering Infrastructure (AMI) Water Service Meter Installation Project-Award of Construction Contract and to adopt Resolution No. 13-21 authorizing the City Manager to award a construction contract to Keystone Exteriors, LLC of Luzerne, Pennsylvania (dba. Keystone Metering Systems, Inc.) for construction of the Advanced Metering Infrastructure (AMI) Water Service Meter Installation Project in the amount of

$600,488 and authorizing the City Manager to execute contract and change orders not to exceed $30,000 with total contract value not to exceed $630,488. With the support of the Yuba Water Agency (YWA), the City has been awarded a combined $1.36 million grant through the Integrated Regional Water Management (IRWM) grant program, which includes fifty percent (50%) matching funds by YWA, for a Comprehensive Drinking Water Project. The Comprehensive Project will improve water system reliability; increase community awareness of water consumption; encourage sustainable water practices; and modernize the City's water supply system to accommodate growth. The grant includes several projects including a new municipal accounting and billing software system, new communication infrastructure and new water meters. On May 12, 2020, the City Council authorized the draft request for proposals (RFP) for implementation of the AMI water system. On September 22, 2020, the City Council authorized the City Manager to award contracts to Mueller Systems, LLC (Mueller) for the AMI system communications work. Additionally, on October 13, 2020, the City Council adopt Resolution No. 41-20 making a public interest finding for the sole source procurement of water meters and AMI endpoints supplied by Muller Systems, LLC for the City-wide AMI Water Meter Installation Project. This project will install all new service meters and implement systemwide water meter automation upgrades using the Advanced Metering Infrastructure to fully automate meter reading, enable timely leak detection; provide consumers with data for consumption management, increase operational efficiencies and improve the City's related operational and billing software. A version of this project, which was planned to also include all new supply side meters at the City water wells, was bid in January 2021. The two bids received for that project were found to be non-responsive and were formally rejected by City Council on February 9, 2021. Due to the specialized nature of performing mass meter change outs in association with AMI implementation, the field of available contractors is limited with several contractors holding only a C36 Plumbing Contractor license, so the City decided to repackage the service meters separately in this current project to facilitate competitive bidding. The supply meter work is now planned to occur with similar work under the Water System Reliability Project funded through this same IRWM grant. In the same action with the bid rejection on February 9th, Council approved the bid documents and authorized the City Engineer to proceed with soliciting bids for the construction of the Advanced Metering Infrastructure (AMI) Water Service Meter Installation Project. The bids were received and opened on March 11th. Staff has verified that both bids were responsible and responsive with the appropriate experience and California contractor licenses in good standing per the project requirements as well as provision of insurance and bonding which satisfied the requirements. Staff is recommending award of the construction contract to the low-bidder, Keystone Exteriors, LLC of Luzerne, Pennsylvania (dba. Keystone Metering Systems, Inc.) in the amount of $600,488.00. The service meter installations under this project are anticipated to begin as early as May 2021. The project is funded entirely through external grants. The Yuba Water Agency (YWA) awarded the City of Wheatland a $700,000 grant for the City's Comprehensive Drinking Water Project as the local match to leverage an application to the State for additional grant funding. The Project was also selected for full funding through the Proposition 1 Round 1 Integrated Regional Water Management (IRWM) Implementation Grant in the amount of $682,347. With the above-noted match grant from YWA, the total grant to the City for the Comprehensive Drinking Water Project is $1,382,347. The Water Conservation and Efficiency Component of the Comprehensive Drinking Water Project which is being implemented under the various phases of the AMI Water System Metering Upgrade Project accounts for $964,695 ($838,865 plus 15% contingency) of the grant. It should be noted that while an agreement has been executed for the YWA matching grant, the agreement for the Proposition 1 funding is pending and it may be several months before the agreement

is fully executed. Therefore, the potential exists for State reimbursements for construction invoices on the project to be delayed. Staff would use General Fund reserves to accommodate the potential cash flow gap until reimbursements from the State are received by the City. The overall budget of the Comprehensive Drinking Water Project Grant is divided into two main project components: the Water Conservation & Efficiency (AMI Metering) Project and the Water System Reliability Project.

Mayor R West clarified that installation implementation is the cost of the meters and installation only for residential, not for wells. He also questioned how we will make up the financial shortfall for the AMI meter and water reliability project.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member P. Shelton **to adopt Resolution No. 13-21 authorizing the City Manager to award a construction contract to Keystone Exteriors, LLC of Luzerne, Pennsylvania (dba. Keystone Metering Systems, Inc.) for construction of the Advanced Metering Infrastructure (AMI) Water Service Meter Installation Project in the amount of $600,488 and authorizing the City Manager to execute contract and change orders not to exceed $30,000 with total contract value not to exceed $630,488.** Vote called – AYES: All. Motion carried.

3) Police Chief D. Sylvester presented the staff report for Council consideration to adopt Resolution 12-21 opposing CDPH attempt to circumvent local control over Syringe Exchange Programs. At the September 8, 2020 City Council meeting, the City Council voted to introduce and waive the first reading of Ordinance No. 477. The City Council then voted to adopt Ordinance No. 477 on September 22, 2020, banning the establishment and operation of a Syringe Exchange Program within the city limits of the City of Wheatland. The ordinance went into effect on October 22, 2020. On March 11, 2021 Assemblyman James Gallagher alerted the public of a new attempt by CDPH to circumvent local control over syringe giveaway programs. Assemblyman Gallagher is encouraging concerned local governments to make their voices heard in opposition to the purposed regulatory changes by CDPH.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member P. Shelton **to adopt Resolution 12-21 Opposing California Department of Public Health (CDPH) attempt to circumvent local control over Syringe Exchange Programs.** Vote called – AYES: All. Motion carried.

4) City Manager J. Goodwin presented the staff report for Council consideration to waive the first reading and introduce Ordinance No. 479 amending portions of Section 2.28 (Emergency Organization) of the Wheatland Municipal Code. The current Emergency Organization section of the Wheatland Municipal Code has not been updated since its adoption in 1971, prior to adoption of the City Manager ordinance in 2005. After consulting with Yuba County Office of Emergency Services (OES), staff is recommending the code be updated to reflect the administrative responsibilities of the City Manager as defined by Section 2.06 of the Wheatland Municipal Code. Designating the City Manager as the Director of Emergency Services will ensure continuity in communication during an emergency. The following changes are being recommended: amend Section 2.28.030 making the Director of Emergency Services the Vice-Chairperson of the City Disaster Council and amend Section 2.28.050 designating the City Manager the Director of Emergency Services.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. Coe **to waive the First Reading and Introduce Ordinance No. 479 Amending the City of Wheatland's Municipal Code regarding Emergency Services.** Vote called – AYES: All. Motion carried.

REPORTS

City Manage J. Goodwin reported on the future Pool Ad Hoc Committee meeting with the two schools. Vice Mayor R. Coe reported on a positive Zoom Homeless Committee meeting he attended in regards to elected officials.

CLOSED SESSION

There being no further business, Mayor R. West adjourned the meeting at 7:20 p.m.

Minutes approved and adopted on this 13th day of April 2021.

Rick West

Rick West, Mayor

for

Lisa J. Thomason, City Clerk