

**JUNE 25, 2019 MINUTES  
REGULAR WHEATLAND CITY COUNCIL MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:30 –7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** R. Coe, J. Henderson, \*L. McIntosh, J. Pendergraph  
**ABSENT - R. West**  
\*L. McIntosh arrived for the meeting at 6:45 p.m.

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

**PLEDGE OF ALLEGIANCE:**

Council Member J. Pendergraph led the pledge of allegiance.

**PUBLIC COMMENT** – Chris Wallace commented on signage for Bishop’s Pumpkin Farm.

**CONSENT CALENDAR**

\*Item No. 2.3, Public Works Director Employment Agreement, was pulled from the consent calendar and rescheduled for the July 9, 2019 meeting.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member R. Coe **to approve Proclamation Declaring the Month of July 2019 as Sexual Assault Awareness Month and approve minutes of the regular meeting on June 11, 2019.** Vote called – AYES: Pendergraph, Coe and Henderson. ABSENT: McIntosh and West. Motion carried.

**REGULAR CALENDAR**

1) Finance Director Susan Mahoney presented the staff report for vehicle purchase. One of the 2012 Dodge Chargers from the Police Department has many years of service and excessive miles (>110,000), the vehicle is experiencing increased maintenance costs and is no longer reliable. Price quotes were obtained from three local area Ford dealers; Geweke Ford, Folsom Ford and Future Ford. Future Ford met all of the City's requirements at a cost of \$45,914. An additional \$18,000 to \$20,000 is being requested to outfit the vehicle with safety lighting, electronics, seating, barriers, graphics and cargo storage.

Motion was made my Council Member R. Coe, Seconded by Council Member J. Pendergraph to **authorize the City Manager to spend up to \$65,000 to purchase and outfit a 2020 Ford Police Interceptor Utility AWD vehicle for use by the Police Department.** Vote called – AYES: Coe, Pendergraph and Henderson. ABSENT: McIntosh and West. Motion carried.

2) Police Chief Allyn Wightman presented the staff report for providing Worker’s Compensation Coverage of Peace Officer, if the Peace Officer in injured, dies or disabled while engaging in the apprehension or attempted apprehension of law violators, outside the State of California. In September 2018 Governor Brown signed into law AB 1749, effective January 1, 2019. The law specifically amends the Labor Code to permit public agencies to accept liability for workers' compensation of a peace officer, if the peace officer “is injured,

dies, or is disabled from performing his or her duties as a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the state of California, but was not at the time acting under the immediate direction of his or her employer... ". The law does not create a mandate that a public employer accept workers' compensation liability under these circumstances. The law expressly states that an employer may accept liability and provide benefits at its discretion or in accordance with an adopted resolution, as long as the employer decides that providing benefits serves the public purpose of the employer. The resolution applies broadly to any out-of-state injury or illness sustained by a peace officer "by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace". If a member wishes, it may modify the resolution to limit the out-of-state circumstances in which it applies (e.g., limit it to a response to an active shooter situation, act of domestic terrorism, or catastrophic event such as an earthquake, flood or mud slide). PARSAC and its excess providers, LAWCX and CSAC, have amended their Memoranda of Coverage to provide workers; compensation coverage in accordance with the new law. Due to the "newness" of AS 1749, there is no data on the number of cities that have accepted or declined to follow this resolution. If the City chooses not to sign and an officer did engage in law enforcement activities outside the state of California and was injured or killed, the officer would not be covered.

Mayor Joe Henderson questioned if there has been discussion as far as any increase cost from PARSAC in Workers' Compensation. Jim Goodwin responded, no.

Motion was made by Council Member J. Pendergraph, Seconded by Council Member R. Coe to **approve Resolution No. 21-19 of the City of Wheatland Authorizing Workers' Compensation Coverage for Off-Duty Peace Officers Injured Out of State**. Vote called – AYES: Pendergraph, Coe and Henderson. ABSENT: McIntosh and West. Motion carried.

3) Finance Director Susan Mahoney presented the staff report for Fiscal Year 2019-2020 Operating Budget. On May 28, 2019 the Council reviewed and discussed the proposed FY 2019-2020 operating budget and provided staff with direction and comments. The following updates are included in the attached budget. Projected FY 2018-2019 General Fund revenue has been increased \$28,460 based on updated sales tax and franchise fee information. This increase results in a projected \$69,082 net income to the General Fund. Staff is recommending that \$65,000 of the FY 2018-2019 net income be used to replace a police vehicle. The FY 2018-2019 fiscal information for all other funds is the same as presented at the May 28, 2019 meeting. Projected FY 2019-2020 General Fund revenue has been increased \$13,873 based on updated sales tax, franchise fee and interest earnings information. The General Fund is projected to have a net income for the FY 2019-2020 of \$35,714. Minor expense adjustments have been made to the Gas Tax, Water, Wastewater and Landscape and Lighting District Funds. Resolution 20-19 includes the budget control policies adopted by Council each year as part of the budget process. In addition, Resolution 20-19 establishes the appropriations limit (Gann limit) as required by Article XIIB of the California Constitution.

Motion was made by Council Member R. Coe, Seconded by Council Member J. Pendergraph to **approve Resolution No. 20-19 Adopting the Fiscal Year (FY) 2019-2020 Operating Budget**. Vote called – AYES: Coe, Pendergraph and Henderson. ABSENT: McIntosh and West. Motion carried.

## REPORTS

R. Coe reported on the Homeless Consortium meeting.

Mayor Henderson reports on the Yuba Water advancement for revenue increase for Yuba County.

**6:45 P.M. CITY COUNCIL ADJOURNED TO CLOSED SESSION** - no reportable action.

**7:00 P.M. REGULAR MEETING RECOVERED**

**ADJOURN**

There being no further business, Council Member J. Henderson adjourned the meeting at 7:00 p.m.

Minutes approved and adopted this 9<sup>th</sup> day of July 2019.

  
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Lisa J. Thomason, *City Clerk*

  
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Joseph Henderson, *Mayor*