

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

November 13, 2018

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667

5:00 P.M. Closed Session

6:00 P.M. Open Session

5:00 P.M. CLOSED SESSION

Item 1: Conference with Labor Negotiators

Patrick Clark, Cleve Morris, Dave Warren

(Government Code § 54957.6)

Bargaining Unit: Local 39

Item 2: Conference with Legal Counsel

(Government Code § 54956.9)

Workers Compensation Appeal, Ryan Strabel

Claim No. NCWA-556918

Item 3: Conference with Real Property Negotiator

(Government Code § 54956.8)

Properties: El Dorado County APN 004-201-022-100, APN 004-201-14-100, APN 004-201-12-100, APN 049-350-30-100, APN 049-350-021-100

Negotiating Parties: Kapre Properties, Inc., Vinod K. Patel, Kusumben Patel, Minesh B. Patel and Kavita K. Patel, Northern California Conference of Seventh Day Adventists, and Aureliano Ceja and Lorena Ceja

Under Negotiation: Entering into contracts with negotiating parties for two acquisitions and two temporary construction easements needed to support the Upper Broadway Bike Lanes including Upper Broadway Pedestrian Connection Project (CIP #41508)

Item 4: Conference with Legal Counsel - Anticipated Litigation

(Government Code § 54956.9)

One Case

6:00 P.M. OPEN SESSION**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG**

The Mayor called the meeting to order at 6:01 P.M. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Acuna, Borelli, Clerici, Saragosa, Thomas**3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC****3.1 Brief Comments by City Council**

Mayor Thomas opened the comment period by sharing her grief and concern for the victims of the recent Camp Fire and announced a fundraiser she and her husband created in conjunction with El Dorado Community Foundation to raise monetary donations for the fire victims. She said one hundred percent of the funds raised will be donated to the cause on behalf of El Dorado County. She also thanked the Police Department for sending officers to assist in the Camp Fire.

Mayor Thomas attended the Veterans Day commemoration event at the El Dorado County Veterans Memorial Building this past Sunday. She said it was a privilege to represent the City.

She also informed the public that ballots from the November 6, 2018, election are still being counted and the City is awaiting certification of the final results before transitioning members of the City Council. The City expects to receive certification of the election in the next few weeks.

Mayor Thomas announced the El Dorado Arts Council will be holding an installation project in collaboration with the Institute of Forest Genetics, where the students of Independence High School have been engaged to study and present an artistic project that examines the idea of resilience in our forests. The event, which is open to the public, takes place this Friday at Confidence Lab from 6:00-8:00 P.M.

Vice-Mayor Acuna thanked the Mayor for representing the City at the Veterans Day ceremony and for her fundraising efforts for the residents of Paradise. He also encouraged charitable donations from the public.

Councilmember Borelli echoed sentiments for the victims of the Camp Fire.

Councilmember Clerici stressed the importance of strategic planning for emergency evacuation. He also said he will be hanging Christmas lights around town and directed anyone interested in helping to contact him or

Dennis Thomas. Councilmember Saragosa offered to help purchase and hang lights.

Councilmember Saragosa would also like to discuss a plan for emergency evacuations and thanked Mayor Thomas for campaigning on social media to help raise funds for the fire victims. He encouraged the donation of unused gift cards as an alternative to financial contributions.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney stated no reportable action was taken in Closed Session.

5. ADOPTION OF AGENDA

It was moved by Councilmember Clerici and seconded by Vice-Mayor Acuna that the City Council adopt the agenda as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Proclamation Commemorating Veterans Day (Mayor Thomas)

Mayor Thomas reiterated her privilege to represent the City at the Veterans Day ceremony on Sunday.

6.2 Proclamation Congratulating and Commemorating the El Dorado Chapter, National Society Daughters of the American Revolution for Forty Years of Service to Our Community (Mayor Thomas)

Mayor Thomas expressed her gratitude for the organization's long-time service to our community.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communication

An email from Susan Rodman was noted.

7.2 Oral Communication

Oral communication was received from Justin Freeland, a former Paradise resident, regarding the increased risk of fire from residents not abiding by

City code and his concern should the City not have an evacuation and disaster preparedness plan in place.

Sue Rodman addressed the City Council with questions regarding the fundraiser donation website and also shared her concern regarding residents who do not create defensible space on their property.

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by roll call vote unless any member of the Council wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Councilmember requests otherwise.

8.1 Approve the Minutes of the Regular City Council Meeting of October 23, 2018 (Ms. O'Connell)

Approved the Minutes of the Regular City Council Meeting of October 23, 2018.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 Approve the Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4. Authorize Staff to Close City Hall on December 24, 2018 and December 31, 2018 (Mr. Morris)

Authorized Staff to close City Hall on December 24, 2018 and December 31, 2018.

8.5 Adopt a Resolution:

- 1. Authorizing the examination of sales, use, and transactions tax records; and**
- 2. Authorizing the City Manager to negotiate a professional services agreement with Hinderliter, de Llamas, and Associates for sales, use, and transactions tax audit and information services; and**
- 3. Authorizing the City Manager, City Attorney, and City Clerk to execute the same (Mr. Warren)**

Resolution No. 8676

This item was pulled by Councilmember Borelli. The Director of Finance explained the purpose of the request and responded to Council questions. No public comment was received. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

1. *Authorizing the examination of sales, use, and transactions tax records; and*
2. *Authorizing the City Manager to negotiate a professional services agreement with Hinderliter, de Llamas, and Associates for sales, use, and transactions tax audit and information services; and*
3. *Authorizing the City Manager, City Attorney, and City Clerk to execute the same.*

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

No public comment was received on items 8.1 through 8.4. It was moved by Councilmember Borelli that the City Council pull item 8.5 for discussion and adopt the Consent Calendar as modified. The motion was seconded by Councilmember Saragosa and passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

9. ITEMS PULLED FROM THE CONSENT CALENDAR

Item 8.5 was pulled from the Consent Calendar.

10. ORDINANCES

No ordinances were scheduled.

11. PUBLIC HEARINGS

- 11.1 Approve Map Amendment 18-01, Modifying the Building Envelope on Lot 9 of the Quartz Mountain Subdivision Phase I Map, Located at 2628 Kereka Court, and Certify that the Project is Categorically Exempt from the Requirements of the California Environmental Quality Act Pursuant to Section 15305; Based on the Findings and**

Subject to the Conditions of Approval Contained in Exhibit D (Mr. Rivas)

The Director of Development Services presented the item and responded to Council questions. No public comment was received. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Saragosa that the City Council approve Map Amendment 18-01, modifying the building envelope on Lot 9 of the Quartz Mountain Subdivision Phase I Map, located at 2628 Kereka Court, and certify that the project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Section 15305; based on the findings and subject to the Conditions of Approval contained in Exhibit D, and to include the addition of Condition of Approval No. 5, whereby the applicant shall complete defensible space clearance from structures prior to issuance of a certificate of occupancy in accordance with Public Resources Code 4291.

The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution Approving the Number of Cannabis Related Businesses Allowed in the City of Placerville in Accordance with City Ordinance No. 1694 (Mr. Morris)

Resolution No. 8677

The City Manager summarized the item and responded to Council questions. Public comment was received from Kelly Chiusano and Dale Schafer. Rod Miller submitted written comment. Following Council discussion, it was moved by Councilmember Clerici and seconded by Vice-Mayor Acuna that the City Council adopt a resolution approving three retail businesses and three cannabis testing facilities in the City of Placerville in accordance with City Ordinance No. 1694. The motion was passed by the following roll call vote:

AYES: Acuna, Borelli, Clerici
 NOES: Thomas, Saragosa
 ABSENT: None
 ABSTAIN: None

12.2 Adopt a Resolution:

- 1. Approving a Construction Contract with C.E. Cox General Engineering, Inc. for the Sierra Tank Bypass Project (CIP #41404) in an amount not to exceed \$421,860 and Authorizing the City Manager to Execute said Contract; and**
- 2. Approving a Budget Appropriation in the amount of \$497,300 from the Measure L Fund for the said Project; and**
- 3. Approving a Budget Appropriation in the amount of \$10,400 in El Dorado Irrigation District Revenues for the said Project; and**
- 4. Approving a \$359,600 Measure L Fund Budget Liquidation from the Cedar Ravine Road Sewer Line Repair Project (CIP #41825); and**
- 5. Approving a \$21,700 Measure L Fund Budget Liquidation from the Culvert Pipe Replacement at Airport Road Broadway (CIP #41826); and**
- 6. Approving a \$80,000 Measure L Fund Budget Liquidation from the Ray Lawyer Drive Pavement Rehabilitation-From Placerville Drive to Fair Lane Project (CIP #41906); and**
- 7. Approving a \$9,000 Measure L Fund Budget Liquidation from the Green Valley Road Crack Seal and Slurry Between Placerville Drive and the City Limits Project (CIP #41830); and**
- 8. Approving a \$5,000 Measure L Fund Budget Liquidation from the Placerville Drive Crack Seal and Slurry Between Ray Lawyer Drive and Highway 50 Project (CIP #41831); and**
- 9. Approving a \$22,000 Measure L Fund Budget Liquidation from the Martin Lane Pavement Repair Project (CIP #41827); and**

Authorizing the City Manager to Negotiate and Execute any Necessary Contract Change Orders with C.E. Cox General Engineering up to \$25,000 per Change Order for the said Project for a not-to-exceed aggregate amount of \$83,640. The said Change Order(s) shall be brought to the next available City Council Meeting for Ratification (Mr. Rivas)

Resolution No. 8678

The City Engineer summarized the item. Public comment was received from Kirk Smith and Sue Rodman. Following Council discussion, it was moved by Mayor Thomas and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1. Approving a Construction Contract with C.E. Cox General Engineering, Inc. for the Sierra Tank Bypass Project (CIP #41404) in an amount not to exceed \$421,860 and Authorizing the City Manager to Execute said Contract; and*

2. *Approving a Budget Appropriation in the amount of \$497,300 from the Measure L Fund for the said Project; and*
3. *Approving a Budget Appropriation in the amount of \$10,400 in El Dorado Irrigation District Revenues for the said Project; and*
4. *Approving a \$359,600 Measure L Fund Budget Liquidation from the Cedar Ravine Road Sewer Line Repair Project (CIP #41825); and*
5. *Approving a \$21,700 Measure L Fund Budget Liquidation from the Culvert Pipe Replacement at Airport Road Broadway (CIP #41826); and*
6. *Approving a \$80,000 Measure L Fund Budget Liquidation from the Ray Lawyer Drive Pavement Rehabilitation-From Placerville Drive to Fair Lane Project (CIP #41906); and*
7. *Approving a \$9,000 Measure L Fund Budget Liquidation from the Green Valley Road Crack Seal and Slurry Between Placerville Drive and the City Limits Project (CIP #41830); and*
8. *Approving a \$5,000 Measure L Fund Budget Liquidation from the Placerville Drive Crack Seal and Slurry Between Ray Lawyer Drive and Highway 50 Project (CIP #41831); and*
9. *Approving a \$22,000 Measure L Fund Budget Liquidation from the Martin Lane Pavement Repair Project (CIP #41827); and*

Authorizing the City Manager to Negotiate and Execute any Necessary Contract Change Orders with C.E. Cox General Engineering up to \$25,000 per Change Order for the said Project for a not-to-exceed aggregate amount of \$83,640. The said Change Order(s) shall be brought to the next available City Council Meeting for Ratification.

The motion was passed by the following roll call vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

12.3 Review Proposed Request for Proposals for Reuse of Historic City Hall and Authorize Staff to Release the Proposals (Mr. Morris)

The City Manager presented the item and responded to Council questions. Public comment was received from Sue Rodman and Kirk Smith. Mayor Thomas outlined areas of the proposal she suggested include additional language and recommended, under Review of Proposals, a City Council Ad-hoc Committee review and make recommendations of the proposals. Following Council discussion, it was moved by Councilmember Clerici and seconded by Vice-Mayor Acuna that the City Council authorize Staff to release the Request for Proposals with additional language as suggested

by Mayor Thomas, but leave the Review of Proposals as written, and to require the proposers to submit three (3) copies of the proposal rather than one (1) as currently written. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Saragosa
 NOES: None
 ABSENT: None
 ABSTAIN: None

12.4 Review the Proposed Capital Outlay Budget and Provide Direction to Staff in Identifying Funding for the \$336,128 in Immediate Equipment Replacement Needs (Mr. Morris)

The City Manager summarized the item and responded to Council questions. Public comment was received from Kirk Smith. The City Council concurred that Staff was on track with the budget. Final recommendations will be brought back to the Council at a later date. No action was taken on this item.

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

• **El Dorado County Transit Authority**

Vice-Mayor Acuna reported that the pros and cons of the Apple Hill shuttle program were discussed and said there will not be any grant funding available next year due to high subsidy costs. Councilmember Borelli commented on the lack of contributions from local growers.

• **El Dorado County Transportation Commission**

Councilmember Clerici said Proposition 6 was discussed.

• **LAFCO (El Dorado Local Agency Formation Commission)**

Vice-Mayor Acuna said the commission has not yet met.

• **SACOG (Sacramento Area Council of Governments)**

No report.

• **Two by Two**

No report.

14. REQUESTS FOR FUTURE AGENDA ITEMS – (Requests for Future Agenda Items Requires a Majority Concurrence of the Council)

Vice-Mayor Acuna requested PG&E be encouraged to attend the next regularly scheduled City Council meeting as well as to receive a Clay Street Project update

from Staff. After further discussion by Council it was determined that PG&E would be invited to a meeting after the first of the year. Councilmember Saragosa would like the City Council to consider the idea of SMUD utility contracting in Placerville.

15. CITY MANAGER AND STAFF REPORTS

15.1 Review Proposed Traffic Calming Policy and Resource Manual and Authorize Staff to Proceed with the Document (Mr. Morris)

The City Manager summarized the proposed policy and requested feedback from the City Council. Mayor Thomas and Councilmember Clerici suggested language edits to two sections of the policy. Staff will return at a later date with a revised policy for Council review and approval. No action was taken on this item.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting of November 27, 2018 include: Community Pride Resolution, Blairs Lane Bridge Notice of Completion, and MBI Contract Amendment.

17. ADJOURNMENT @ 8:56 P.M.

The next regularly scheduled City Council meeting will be held on November 27, 2018, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk