

**MINUTES**

PLACERVILLE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JUNE 23, 2020

6:00 p.m.

NO CLOSED SESSION SCHEDULED

CITY COUNCIL CHAMBERS – TOWN HALL  
549 MAIN STREET, PLACERVILLE, CA 95667

**PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California and the El Dorado County Health Official's March 19, 2020 Shelter in Place Order, the City Council Chamber will not be physically open to the public and City Councilmembers will be teleconferencing into the meeting via Zoom Video Communications.

**NO CLOSED SESSION SCHEDULED**

**6:00 P.M. OPEN SESSION**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG**

*The Mayor called the meeting to order at 6:00 p.m. and The Pledge of Allegiance to the Flag was recited.*

**2. ROLL CALL:   **Present** (virtually): Saragosa, Thomas, Acuna, Borelli, Taylor**

**3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC**

**3.1   Acknowledge and File the Annual Financial Report and Independent Auditors' Report for Fiscal Year 2018/2019 (Mr. Warren)**

*The Assistant City Manager/Director of Finance along with Vanessa Burke of The Pun Group presented the Annual Financial Report and Independent Auditors' Report for fiscal year 2018/2019. Public comment was received from Call-In User\_1. The reports were acknowledged and filed.*

**3.2   Acknowledge and File the Water Purchase and Sales Report for Calendar Year 2019 as Presented (Mr. Warren)**

*The Assistant City Manager/Director of Finance presented the Water Purchase and Sales Report for calendar year 2019. Public comment was received from Call-In User\_1. The report was acknowledged and filed.*

### **3.3 Covid-19 Update (Mr. Morris)**

*The City Manager shared updates regarding current guidelines and infection rates in our area. Public comment was received from caller \*525 and Call-In User\_2.*

### **3.4 Receive and File Update on Public Records Requests (Ms. O'Connell)**

*The City Clerk updated the Council on recent public records requests. Public comment was received from Call-In User\_2, caller \*846, and Kirk Smith.*

### **3.5 Brief Comments by City Council**

*Brief comments were made by the City Council.*

## **4. CLOSED SESSION REPORT – City Attorney Driscoll**

*No reportable action was taken in Closed Session.*

## **5. ADOPTION OF AGENDA**

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

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

## **6. CEREMONIAL MATTERS**

*No ceremonial matters were scheduled.*

## **7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS**

### **7.1 Written Communication**

**Item 1:** Email from Katie Morris re: “Old Hangtown” sign received June 11, 2020

*Public comment was received from caller \*613, Michael Saunders, Ed Ingram, Robin Gunning, caller \*525, Cody, Andrew Vonderschmitt,*

*Jennifer Chapman, Kirk Smith, Katie Morris, Ruth Michelson, Jane McGinnis, Jonathan Gainsbrugh, Call-In User\_3, and Elizabeth Dubose.*

## **7.2 Oral Communication**

*All oral communication received was regarding Item 7.1.*

## **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 June 9, 2020 (Ms. O'Connell)**

*Approved the Minutes of the regular City Council meeting of June 9, 2020.*

### **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 Adopt a Resolution:**

**1. Approving a Consulting Services Agreement Amendment No. 1 with Robertson-Bryan, Inc., in an amount not-to-exceed \$15,000 for the Fiscal Year 2019/2020 with a Revised Contract Expiration Date of December 31, 2020 to Complete Services Previously Requested and Continued Services Related to the NPDES Permit Renewal with Central Valley Regional Water Quality Control Board for the Hangtown Creek Water Reclamation Facility; and**

**2. Approving a Consulting Services Agreement with Robertson-Bryan, Inc., in an amount not-to-exceed \$25,000 for Fiscal Year 2020/2021 to Provide Technical Support with the City's National Pollution Discharge Elimination System (NPDES) Permit for the Hangtown Creek Water Reclamation Facility; and**

**3. Authorizing the City Engineer to execute the same (Ms. Neves)**

#### **Resolution No. 8861**

*Adopted a resolution for the following actions:*

1. *Approving a Consulting Services Agreement Amendment No. 1 with Robertson-Bryan, Inc., in an amount not-to-exceed \$15,000 for the Fiscal Year 2019/2020 with a revised contract expiration date of December 31, 2020 to complete services previously requested and continued services related to the NPDES permit renewal with Central Valley Regional Water Quality Control Board for the Hangtown Creek Water Reclamation Facility; and*
2. *Approving a Consulting Services Agreement with Robertson-Bryan, Inc., in an amount not-to-exceed \$25,000 for Fiscal Year 2020/2021 to provide technical support with the City's National Pollution Discharge Elimination System (NPDES) Permit for the Hangtown Creek Water Reclamation Facility; and*
3. *Authorizing the City Engineer to execute the same.*

#### **8.5 Adopt a Resolution:**

1. **Consolidating the November 3, 2020 City Council Election with El Dorado County; and**
2. **Authorizing and directing the Registrar of Voters, at the City's expense, to Provide all Necessary Services, which shall include but not be limited to: Publications, Ballots, Sample Ballots, Election Officers, Polling Places and Canvass; and**
3. **In the Event of a Tie Vote, the Winning Candidate shall be Decided by Lot (Ms. O'Connell)**

#### **Resolution No. 8862**

*Adopted a resolution for the following actions:*

1. *Consolidating the November 3, 2020 City Council Election with El Dorado County; and*
2. *Authorizing and directing the Registrar of Voters, at the City's expense, to provide all necessary services, which shall include but not be limited to: Publications, Ballots, Sample Ballots, Election Officers, Polling Places and Canvass; and*
3. *In the event of a Tie Vote, the winning candidate shall be decided by lot.*

#### **8.6 Adopt a Resolution authorizing the Assistant City Manager/Director of Finance to Execute the Attached Certifications of Direct Charge wherein the City certifies that the Special Assessments that are Collected by the County of El Dorado Meet the Requirements of Proposition 218 and authorizing the County Auditor-Controller to Place the City's Special Assessments on the Fiscal Year 2020/2021 Secured Tax Roll (Mr. Warren)**

#### **Resolution No. 8863**

*Adopted a resolution authorizing the Assistant City Manager/Director of Finance to execute the Certifications of Direct Charge wherein the City certifies that the Special Assessments that are collected by the County of el Dorado meet the requirements of Proposition 218 and authorizing the County Auditor-Controller to place the City's Special Assessments on the Fiscal Year 2020/2021 Secured Tax Roll.*

### **8.7 Acknowledge and File the HDL Sales Tax and Economic Reports for the Quarter Ended December 31, 2019 (Mr. Warren)**

*Acknowledged and filed the HDL Sales Tax and Economic Reports for the quarter ended December 31, 2019.*

*It was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as presented. The motion was passed by the following vote:*

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

## **9. ITEMS PULLED FROM THE CONSENT CALENDAR**

*No items were pulled from the Consent Calendar.*

## **10. ORDINANCES**

*No ordinances were scheduled.*

## **11. PUBLIC HEARINGS**

### **11.1 Adopt a Resolution Establishing the Appropriation Limit (Gann) for Fiscal Year 2019/2020 and Determining Compliance with Government Code Section 7910 (Mr. Warren)**

#### **Resolution No. 8864**

*The Assistant City Manager/Director of Finance explained the item and responded to Council questions. No public comment was received. It was moved by Councilmember Acuna and seconded by Councilmember Taylor that the City Council adopt a resolution establishing the Appropriation Limit (Gann) for Fiscal Year 2019/2020 and determining compliance with Government Code Section 7910. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Saragosa, Taylor, Thomas

NOES: None  
 ABSENT: None  
 ABSTAIN: None

*The Mayor called for a five-minute break.*

## **12. DISCUSSION/ACTION ITEMS**

### **12.1 Adopt a Resolution:**

**1. Ratifying Construction Contract Change Orders No. 1 through 9 with Doug Veerkamp General Engineering, Inc. for a Combined Credit of \$797,484 for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508); and**

**2. Approving Contract Amendment No. 7 with R.E.Y. Engineers, Inc. in the amount of \$139,421 for Cultural Resource Documentation for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508) and authorizing the City Manager to execute the same (Ms. Neves)**

#### **Resolution No. 8865**

*The City Engineer presented the item and responded to Council questions. Public comment was received from Call-In User\_4. The City Clerk read comments from Jennifer Chapman, Ruth Michelson, Wopumnes Tribal Council, Louie Smith, III, Susie Tripp, and Erin Dixon. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:*

*1. Ratifying Construction Contract Change Orders No. 1 through 9 with Doug Veerkamp General Engineering, Inc. for a combined credit of \$797,484 for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508); and*

*2. Approving Contract Amendment No. 7 with R.E.Y. Engineers, Inc. in the amount of \$139,421 for Cultural Resource Documentation for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508) and authorizing the City Manager to execute the same.*

*The motion was passed by the following roll-call vote:*

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

**12.2 Approve a No-fee Temporary Sidewalk Dining Permit Application and Further Direct Staff to Implement the Same for Temporary Outdoor Dining Applications Utilizing Private Parking Areas (Mr. Rivas)**

**Resolution No. 8866**

*The Director of Development Services summarized the item and responded to Council questions. Public comment was received from Call-In User\_4, and Ruth Michelson. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Taylor that the City Council approve a No-fee Temporary Sidewalk Dining Permit Application and further direct Staff to implement the same for Temporary Outdoor Dining Applications utilizing private parking areas.*

*The motion was passed by the following vote:*

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

**12.3 Defer the Consideration of Initiating the Process to Amend the Zoning Ordinance to Consider Restrictions on Formula Businesses within the Central Business District (CBD) Zone to August 2020 (Mr. Rivas)**

*The Director of Development Services requested to defer the consideration of initiating the process to amend the Zoning Ordinance to consider restrictions on Formula Businesses within the Central Business District (CBD) to August 2020. Public comment was received from Ruth Michelson, Kirk Smith, and Call-In User\_4. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council direct Staff to defer the item until after the lawsuit has concluded with Sourdough & Co. The motion was passed by the following vote:*

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

**12.4 Adopt a Resolution placing a measure on the November 3, 2020 ballot proposing the City Treasurer position be changed from an elected position to an appointed position (Mr. Warren)**

**Resolution No. 8867**

*The Assistant City Manager/Director of Finance and City Attorney explained the item. Public comment was received from Call-In User\_4. Councilmember Taylor suggested the following alternate language for the measure:*

*“Shall the office of City Treasurer be appointed with the first appointment to be made upon the (i) expiration of the term of office of the person elected to serve as City Treasurer at the November 3, 2020, General Municipal Election; or (ii) the office becoming vacant, whichever occurs first?”*

*Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Taylor to adopt a resolution placing a measure on the November 3, 2020 ballot proposing the City Treasurer position be changed from an elected position to an appointed position and use the new language as suggested by Councilmember Taylor.*

*The motion was passed by the following vote:*

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

### **13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS**

- **El Dorado County Transit Authority**

*No meeting.*

- **El Dorado County Transportation Commission**

*No meeting.*

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

*No meeting.*

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

*Mayor Saragosa provided an update on the lobbying taking place to get funds adopted for the Green Means Go project.*

- **Placerville Fire Safe Council**

*Councilmember Borelli said the Council welcomed new member, Carl Collins. The Council continued discussion on community outreach, and elected new officers. Chair Kiehne and Director Rivas received training in property evaluations.*

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



*The Council asked staff to begin working on the removal of the noose from the City logo and from other City materials and property and bring back to Council for approval.*

## **15. CITY MANAGER AND STAFF REPORTS**

### **15.1 Verbal Update – Lower Main St. Slurry Seal Project (Mr. Stone)**

*With concurrence of the City Council, this item was discussed after 12.4 on the agenda. The Director of Public Works provided a verbal update on the Lower Main Street Slurry Seal Project. Public comment was received from Call-In User\_4.*

## **16. UPCOMING ITEMS**

*Items tentatively scheduled for the next City Council meeting of July 14, 2020 include: Western Placerville Interchange Phase II Memorial/ Trailhead Plaque Contract Change Order, Spring/ Mosquito CM Amendment with R.E.Y., Replacement of Body Worn Cameras, and Water Reclamation Facility Effluent Flow Meter.*

## **17. ADJOURNMENT @ 11:16 p.m.**

The next regularly scheduled Council meeting will be held on July 14, 2020, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk