

MINUTES

PLACERVILLE CITY COUNCIL REGULAR MEETING TUESDAY, MAY 12, 2020

5:00 Closed Session
6:00 P.M. Open Session

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.

5:00 CLOSED SESSION

Item 1: Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b)(d)(2) of Section 54956.9 of the Government Code (1 case)

Item 2: Public Employee Discipline/Dismissal/Release

Pursuant to Section 54957 of the Government Code

Item 3: Conference with Labor Negotiator

Agency negotiator(s): Cleve Morris, Dave Warren, Patrick Clark
Employee organizations: Local 39, PPOA, UCASE, and Executive Management

Pursuant to Section 54957.6 of the Government Code

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:42 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 Receive and File Update on Public Records Requests (Ms. O'Connell)

The City Clerk provided an update on recent public records requests. Public comment was received from Kirk Smith, Sue Taylor, Jennifer Chapman, and Mike Drobesh.

3.2 Brief Comments by City Council

Brief comments were made by the City Council.

4. CLOSED SESSION REPORT – City Attorney Driscoll

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

5. ADOPTION OF AGENDA

It was moved by Councilmember Borelli and seconded by Councilmember Taylor 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

The City Manager noted written communication had been received regarding Item 12.2.

7.2 Oral Communication

Oral communication was received from Maureen Dion-Perry, Jennifer Chapman, Laurel Brent-Bumb, Mike Drobesh, and Kirk Smith.

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 April 28, 2020 (Ms. O'Connell)

Public comment was received from Mike Drobesh. Approved the Minutes of the regular City Council meeting of April 28, 2020.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Public comment was received from Kirk Smith. Approved the Accounts Payable Register.

8.3 Approve the Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Acknowledge and File the Quarterly Investment Report for the period ended December 31, 2019 (Mr. Warren)

Acknowledged and filed the Quarterly Investment Report for the period ended December 31, 2019.

8.5 Adopt a Resolution Declaring the Intention to Provide for Annual Levy and Collection of Assessments Pursuant to the Provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California and Setting a Time and Place for Public Hearing Thereon (Orchard Hill and Cottonwood Park). (Mr. Warren)

Resolution No. 8852

Adopted a resolution declaring the intention to provide for annual levy and collection of assessments pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California and setting a time and place for public hearing thereon (Orchard Hill and Cottonwood Park).

Public comment was received on Items 8.1 and 8.2. It was moved by Councilmember Taylor 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

No public hearings were scheduled.

12. DISCUSSION/ACTION ITEMS

12.1 Review Action of The El Dorado County Board of Supervisors and Public Health Officer Regarding Covid-19 and Provide Direction to Staff if Necessary (Mr. Morris)

The City Manager summarized action taken by the Board of Supervisors and Public Health Officer regarding the self-certification process for reopening the County. Public comment was received from Barbara Rogers, Laurel Brent-Bumb, Mandi R., Kaitlyn, Mike Drobesh, and Sue Taylor. The item was received and filed.

12.2 Review Options Regarding Cannabis Appeal Hearings and Provide Direction to Staff on Proceeding Further (Mr. Morris)

The City Attorney provided background on the cannabis business permit appeals and explained options for how to move forward with cannabis business operations in the City with pending appeals. Public comment was received from Mike Drobesh, Kelly Chiusano, Josh Black, Max Del Real, Annie Aubrey, and Kimberly Cargile.

Following Council discussion, it was moved by Vice-Mayor Thomas that the City Council request Staff to bring the item back with a date to consider for the appeals and what the process would entail. The motion was seconded by Councilmember Borelli. The Vice-Mayor said he would like to include in his motion a request to review what additional cannabis business would look like. Councilmember Borelli was not in favor of the idea of having more than three cannabis businesses in the City.

Vice-Mayor Thomas then withdrew his motion and made a new motion to have Staff bring back dates to consider for the cannabis appeals. Councilmember Borelli seconded the motion. Further discussion was had by the City Council. Vice-Mayor Thomas withdrew his motion and Councilmember Borelli withdrew her second.

Councilmember Acuna made a motion that the City Council ask Staff to prepare and begin to set the process for the appeal hearings using a combination of virtual and in-person meeting technology and also ask Staff to agendaize consideration for the change in number of cannabis

businesses to operate in the City, to include a new application process. The motion was seconded by Mayor Saragosa.

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

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

The Mayor called for a five-minute break.

12.3 Adopt a Resolution Approving a Lease Agreement with the “Hangtown Certified Farmers Market” to Conduct a Farmers Market at the Tetrault Parking Lot on Sundays and Authorize the City Manager to Execute the Same (Mr. Zeller)

Resolution No. 8853

The Director of Community Services explained the item and responded to Council questions. Public comment was received from Mike Drobesh, Sue Taylor, Jennifer Chapman, Kirk Smith, Luli Velasco, Lucy O’Dea, and Lexi Boeger. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Acuna that the City Council adopt a resolution approving a lease agreement with the “Hangtown Certified Farmers’ Market” to conduct a farmers’ market at the Tetrault parking lot on Sundays and authorize 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

12.4 Consider a Request from the El Dorado County Certified Farmers’ Market to Move Their Location from the El Dorado Trail Between Clay and Locust Streets Back to its Original Location Within the Ivy House Parking Lot on Clay Street, and to Reduce the Lease Amount Per Month Due to Higher Costs in Managing the Market Under COVID-19 Requirements (Mr. Zeller)

The Director of Community Services presented the item and read a statement from the market organizer, Jim Coalwell. Public comment was received from Sue Rodman, Jennifer Chapman, Kirk Smith, and Mike Drobesh. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Taylor that the City Council direct Staff to reduce the monthly lease amount, deny the market’s request to

relocate, and work with the organizer to consider the use of the trail from Clay Street west to Town Hall and explore the use of Town Hall as a restroom facility and vendor or parking staging area. The motion was passed by the following roll-call vote:

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

12.5 Adopt a Resolution:

1. Approving Amendment No. 2 to Authorization No. 9 to the Consulting Services Agreement with Dokken Engineering for Construction Support Savings in the amount of \$(19,474) for the Western Placerville Interchange, Phase 2 (CIP #41828), and Authorizing the City Manager to Execute the Same; and

2. Approving Amendment No. 1 to Authorization No. 10 to the Consulting Services Agreement with Dokken Engineering for Engineering and Environmental Services in the amount of \$19,474 for the Western Placerville Interchange, Phase 2.2 – Eastbound On Ramp (CIP #41918), and Authorizing the City Manager to Execute the Same; and

3. Authorizing the Engineering Department to Prepare and Release a Request for Proposals for Construction Management Services for the Western Placerville Interchange, Phase 2.2 – Eastbound On-Ramp (CIP #41918) (Ms. Neves)

Resolution No. 8854

The City Engineer summarized the item and responded to Council questions. Public comment was received from Mike Drobesh. 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. Approving Amendment No. 2 to Authorization No. 9 to the Consulting Services Agreement with Dokken Engineering for Construction Support Savings in the amount of \$(19,474) for the Western Placerville Interchange, Phase 2 (CIP #41828), and Authorizing the City Manager to Execute the Same; and

2. Approving Amendment No. 1 to Authorization No. 10 to the Consulting Services Agreement with Dokken Engineering for Engineering and Environmental Services in the amount of \$19,474 for the Western Placerville Interchange, Phase 2.2 – Eastbound On Ramp (CIP #41918), and Authorizing the City Manager to Execute the Same; and

3. *Authorizing the Engineering Department to Prepare and Release a Request for Proposals for Construction Management Services for the Western Placerville Interchange, Phase 2.2 – Eastbound On-Ramp (CIP #41918).*

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

Councilmember Taylor said budget impacts from COVID-19 were discussed as well as the implementation of additional safety precautions. The commission reviewed and approved plans to reduce service hours and staffing.

- **El Dorado County Transportation Commission**

Councilmember Taylor reported the Highway 50 Hotspot Study is continuing to move forward. An infrastructure stimulus may bring potential funding to several shovel-ready projects.

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

LAFCO meets later this month.

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

Mayor Saragosa said next year's budget was discussed.

- **Placerville Fire Safe Council**

Councilmember Borelli said she'll have a report at the next meeting, but wanted to remind the public that fire season is upon us.

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

By concurrence of the Council, a request was made to review the City's farmers' market policy for next season, possibly in January or February, and discuss potential locations and best suitable days for the markets.

15. CITY MANAGER AND STAFF REPORTS

No City Manager and Staff reports.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting of May 26, 2020 include: Upper Broadway Bike Lanes Construction Cultural Inspections Amendment, Real Estate and Survey Services and New CIP Giovanni Sewer Improvement Project, Spring/Mosquito CM Amendment with REY, Western Placerville Interchange Phase 2 Memorial Trailhead Plaque, Mosquito Road Contract Change Order, Draft Traffic Calming Manual, Clay Street Cultural Studies Amendment, Purchase of Security Cameras, Storm Water Resources Plan Certification, and Measure J Report.

17. ADJOURNMENT @ 10:59 p.m.

The next regularly scheduled Council meeting will be held on May 26, 2020, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk