

MINUTES

PLACERVILLE CITY COUNCIL REGULAR MEETING TUESDAY, JULY 13, 2021

**CLOSED SESSION 4:30 PM
IN-PERSON OPEN SESSION: 5:00 PM**

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

4:30 P.M. CLOSED SESSION

Item 1: Conference with Legal Counsel – Liability Claims
Government Code §54956.95
Claimant Name: James Burkhalter
Agency claimed against: City of Placerville

The Mayor called the meeting to order at 4:30 p.m. and opened the public comment period on closed session items. No public comments were received. The City Council adjourned to Closed Session.

5:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 5:03 p.m. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Borelli, Neau, Saragosa, Thomas
Absent: Taylor

3. CEREMONIAL MATTERS

3.1 National Night Out 2021 Proclamation (Chief Wren)

The Mayor read the proclamation and presented it to Chief of Police, Joseph Wren.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney said the City Council (absent Taylor) unanimously rejected the claim of James Burkhalter.

5. ADOPTION OF AGENDA

It was moved by Councilmember Borelli and seconded by Councilmember Saragosa that the City Council adopt the agenda as presented. The motion was passed by the following roll-call vote:

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

6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

6.1 Brief Comments by the City Council

Brief comments were made by the City Council.

6.2 Receive and File Update on the US 50 Corridor Action Plan – Trip to Green Pilot (CIP #42209), Also Known as “Proof of Concept” Project for the Upcoming Fall 2021 Recreation Season (Ms. Neves)

The City Engineer presented an update on the US 50 Corridor Action Plan – Trip to Green Pilot. Woodrow Deloria, Executive Director of El Dorado County Transportation Commission, also addressed the City Council. Public comment was received from Ruth Michelson and Kathi Lishman. The item was received and filed.

7. 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.

7.1 A. Approve the Minutes of the Regular City Council Meeting of June 22, 2021 (Ms. O’Connell)

Approved the Minutes of the Regular City Council Meeting of June 22, 2021.

B. Approve the Minutes of the Special City Council Meeting of June 29, 2021 (Ms. O’Connell)

Approved the Minutes of the Special City Council Meeting of June 29, 2021.

7.2 Approve the Accounts Payable Registers for June 30, 2021, and July 7, 2021 (Mr. Warren)

Approved the Accounts Payable Registers for June 30, 2021, and July 7,

2021.

7.3 Approve the Payroll Register for Pay Periods 26 and 1 (Mr. Warren)

Approved the Payroll Register for Pay Periods 26 and 1.

7.4 Receive and File Public Records Requests (Ms. O'Connell)

Received and filed Public Records Requests.

7.5 Adopt a Resolution Approving a Street Frontage Improvement Agreement (SF-404) for the Property Located at 2445 Giovanni Drive, Identified as Assessor's Parcel Number 050-500-018, and Authorize the City Engineer to Process the Agreement and to Record the Agreement at the El Dorado County Office of the Recorder (Ms. Neves)

Resolution No. 8981

Adopted a Resolution approving a Street Frontage Improvement Agreement (SF-404) for the property located at 2445 Giovanni Drive, identified as Assessor's Parcel Number 050-500-018, and authorize the City Engineer to process the agreement and to record the agreement at the El Dorado County Office of the Recorder.

7.6 Adopt a Resolution:

1. Approving a Consulting Services Agreement with Robertson-Bryan, Inc. in an Amount Not-to-exceed \$56,846 through June 30, 2022, to Provide Technical Support with the City's 2021/2022 Small Municipal Separate Storm Sewer System (MS4) Permit, and Authorizing the City Engineer to Execute the Same; and

2. Approving a \$29,846 Budget Appropriation from the General Fund Contingency for Unforeseen Expenditures for the said Agreement (Ms. Neves)

Resolution No. 8982

Written communication was received from Nicole Gotberg.

Adopted a Resolution:

1. Approving a Consulting Services Agreement with Robertson-Bryan, Inc. in an amount not-to-exceed \$56,846 through June 30, 2022, to provide technical support with the City's 2021/2022 Small Municipal Separate Storm Sewer System (MS4) Permit, and authorizing the City Engineer to execute the same; and

2. *Approving a \$29,846 Budget Appropriation from the General Fund Contingency for Unforeseen Expenditures for the said agreement.*

7.7 Adopt a Resolution:

1. **Approving a Construction Contract for the Dimity Lane Repaving Project (CIP #42203) with Doug Veerkamp General Engineering, Inc. (DVGE), in the amount of \$59,893.35; and**
2. **Approving a \$15,000 Budget Appropriation from the Measure L Fund Construction Reserve for the said project (Ms. Neves)**

Resolution No. 8983

Adopted a Resolution:

1. *Approving a Construction Contract for the Dimity Lane Repaving Project (CIP #42203) with Doug Veerkamp General Engineering, Inc. (DVGE), in the amount of \$59,893.35; and*
2. *Approving a \$15,000 Budget Appropriation from the Measure L Fund Construction Reserve for the said project.*

7.8 Adopt a Resolution:

1. **Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. in the amount of \$59,764.15 for the Morrene Drive Repaving Project (CIP #42207); and**
2. **Authorizing the City Manager to Execute the Same (Mr. Stone)**

Resolution No. 8984

Adopted a Resolution:

1. *Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. in the amount of \$59,764.15 for the Morrene Drive Repaving Project (CIP #42207); and*
2. *Authorizing the City Manager to execute the same,*

7.9 Adopt a Resolution:

1. **Approving a Funding/Reimbursement Agreement with the County of El Dorado for a Homeland Security Grant in the Amount of \$32,000 for the Purchase of 7 In-Car Tablets and 15 Havis Vehicle Tablet Mounts for the Police Department and Authorizing the Mayor and City Clerk to Execute the Same; and**
2. **Approving the Purchase of 7 In-Car Getac tablets from HP Computers and 15 Havis Vehicle Tablet Mounts Not to Exceed \$32,000 (Chief Wren)**

Resolution No. 8985

Adopted a Resolution:

1 *Approving a Funding/Reimbursement Agreement with the County of El Dorado for a Homeland Security Grant in the amount of \$32,000 for the purchase of 7 In-Car Tablets and 15 Havis Vehicle Tablet Mounts for the Police Department and authorizing the Mayor and City Clerk to execute the same; and*

2 *Approving the purchase of 7 In-Car Getac tablets from HP Computers and 15 Havis Vehicle Tablet Mounts not to exceed \$32,000*

7.10 Notify the Media and Public, by Approval of this Request, that the Regularly Scheduled City Council Meeting of July 27, 2021 is Cancelled (Ms. O'Connell)

Approved the cancellation of the Regularly Scheduled City Council Meeting of July 27, 2021.

7.11 Adopt a Resolution:

1. **Retroactively Approving and Affirming a Salary Schedule Effective July 10, 2021; and**

2. **Approving a New Job Description and Salary Schedule for the Development Technician Position; and**

3. **Approving a New Job Description and Salary Schedule for the Senior Police Services Assistant Position (Mr. Warren)**

Resolution No. 8986

The Assistant City Manager/Director of Finance stated a change to the resolutions reflecting July 1, 2021, as the effective date.

Adopted a Resolution:

1. *Retroactively Approving and Affirming a Salary Schedule Effective July 1, 2021; and*

2. *Approving a New Job Description and Salary Schedule for the Development Technician Position; and*

3. *Approving a New Job Description and Salary Schedule for the Senior Police Services Assistant Position*

7.12 Take the Following Actions:

1. **Adopt a Resolution Amending the Salary and Benefit Provisions for all Non-Sworn Employees in the Executive Management Unit and Approving \$49,964 in Budget Appropriations; and**

2. Adopt a Resolution Amending the Salary and Benefit Provisions for all Employees in the Confidential Unit; and

3. Adopt a Resolution Amending the Salary and Benefit Provisions for all Employees in the Supervisory Unit; and (Mr. Warren)

Resolution No. 8987

Resolution No. 8988

Resolution No. 8989

The Assistant City Manager/Director of Finance stated a change to the resolutions reflecting July 1, 2021, as the effective date.

Adopted a Resolution Amending the Salary and Benefit Provisions for all Non-Sworn Employees in the Executive Management Unit and Approving \$49,964 in Budget Appropriations; and

Adopted a Resolution Amending the Salary and Benefit Provisions for all Employees in the Confidential Unit; and

Adopted a Resolution Amending the Salary and Benefit Provisions for all Employees in the Supervisory Unit

It was moved by Councilmember Saragosa and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as presented. No public comment was received. The motion was passed by the following roll-call vote:

AYES: Borelli, Neau, Saragosa, Thomas

NOES: None

ABSENT: Taylor

ABSTAIN: None

8. PUBLIC COMMENT – NON-AGENDA ITEMS

8.1 Oral Communication

Oral communication was received by Charlie McDonald, Jonathan Gainsbrugh, Heidi Mayerhofer, Ruth Michelson, and Kathi Lishman.

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 Consider an Appeal Filed by Julie Robinson of the Planning Commission's June 15, 2021 Approval of Conditional Use Permit (CUP) 21-01, and then Reverse the Decision of the Planning Commission and Deny Approval of CUP 21-01 to Allow a Bed and Breakfast Establishment at 795 Chamberlain Street (APN 003-071-030) Upholding the Appeal (Mr. Rivas)

The Director of Development Services provided background on the item. Both the appellant and applicant addressed the City Council. Written communication was received from Margie Read. Public comment was received from Sue Rodman and Ruth Michelson. Following Council discussion, it was moved by Councilmember Saragosa and seconded by Councilmember Neau that the City Council reverse the decision of the Planning Commission and deny approval of CUP 21-01 to allow a Bed and Breakfast establishment at 795 Chamberlain Street (APN 003-071-030) upholding the appeal.

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

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

At this time, the Mayor called for a brief recess.

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution:

- 1. Declaring a Drought State of Emergency, Stage 1 Water Alert Citywide Effective Immediately; and**
- 2. Asking Placerville Water Customers to Begin Reducing their Baseline Water Consumption by 15% on a Voluntary Basis; and**
- 3. Authorizing and Directing the City Manager and his Designees to Take All Actions Deemed Reasonably Necessary to Respond to the Declared Emergency Conditions Including Implementing All Voluntary Stage 1 Drought Actions, as Detailed in El Dorado Irrigation District's 2021 Updated Drought Action Plan (Mr. Warren)**

Resolution No. 8990

The Assistant City Manager/Director of Finance introduced the item and a presentation was given by Brian Meuller, Engineering Director of El Dorado

Irrigation District. Public comment was received from Sue Rodman and Kirk Smith. Following Council discussion, it was moved by Councilmember Neau and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1. Declaring a Drought State of Emergency, Stage 1 Water Alert Citywide Effective Immediately; and*
- 2. Asking Placerville Water Customers to Begin Reducing their Baseline Water Consumption by 15% on a Voluntary Basis; and*
- 3. Authorizing and Directing the City Manager and his Designees to Take All Actions Deemed Reasonably Necessary to Respond to the Declared Emergency Conditions Including Implementing All Voluntary Stage 1 Drought Actions, as Detailed in El Dorado Irrigation District's 2021 Updated Drought Action Plan.*

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

AYES: Borelli, Neau, Saraogsa, Thomas
NOES: None
ABSENT: Taylor
ABSTAIN: None

12.2 Adopt a Resolution:

- 1. Directing Staff to Place a Demand Upon the Current Owners of 559 Main Street, APN 002-151-009 Requiring Code Enforcement Action Relevant to City Code §8-3-28 and §7-5-25 to Address an Existing Failed Retaining Wall Adjacent to an Active Public Sewer Main Located in Hangtown Creek (CIP #42237); and**
- 2. Approving a Construction Contract with Doug Veerkamp General Engineering in a Not to Exceed Amount of \$88,000 for Construction of a New Retaining Wall, Assessment, and Additional Retaining Wall Work as Needed Related to the Code Enforcement Action (CIP #42237) and Authorizing the City Manager to Execute the Same; and**
- 3. Approving a \$100,000 Budget Appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures for the Said Project; and**
- 4. Approving in Concept and Form a Reimbursement Agreement with Current Owners of 559 Main Street and Authorizing the City Manager to Execute the Same; and**
- 5. Approving in Concept and Form Parking Stall Use Agreement with Current Owners of 559 Main Street for Leased Use of Public Parking Spaces and Authorizing the City Manager to Execute the Same (Ms. Neves)**

Resolution No. 8991

The City Engineer presented the item and responded to Council questions. Public comment was received by Sue Rodman and Mark Scott. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Saragosa that the City Council adopt a resolution for the following actions:

- 1. Directing Staff to Place a Demand Upon the Current Owners of 559 Main Street, APN 002-151-009 Requiring Code Enforcement Action Relevant to City Code §8-3-28 and §7-5-25 to Address an Existing Failed Retaining Wall Adjacent to an Active Public Sewer Main Located in Hangtown Creek (CIP #42237); and*
- 2. Approving a Construction Contract with Doug Veerkamp General Engineering in a Not to Exceed Amount of \$88,000 for Construction of a New Retaining Wall, Assessment, and Additional Retaining Wall Work as Needed Related to the Code Enforcement Action (CIP #42237) and Authorizing the City Manager to Execute the Same; and*
- 3. Approving a \$100,000 Budget Appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures for the Said Project; and*
- 4. Approving in Concept and Form a Reimbursement Agreement with Current Owners of 559 Main Street and Authorizing the City Manager to Execute the Same; and*
- 5. Approving in Concept and Form Parking Stall Use Agreement with Current Owners of 559 Main Street for Leased Use of Public Parking Spaces and Authorizing the City Manager to Execute the Same*

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

AYES: Borelli, Neau, Saraogsa, Thomas
NOES: None
ABSENT: Taylor
ABSTAIN: None

12.3 Adopt a Resolution:

- 1. Approving a Consulting Services Agreement with Wood Rodgers, Inc. in a Not-to-exceed Amount of \$34,000 to Conduct a Record of Survey and Engineering Support for the Hangtown Creek Culvert Repair (CIP #42013); and**
- 2. Approving a Budget Appropriation in the Amount of \$40,000 from the General Fund Contingency for Unforeseen Expenditures for the Said Project (Ms. Neves)**

Resolution No. 8992

Mayor Thomas recused himself from this item and exited the chamber. The City Engineer presented the staff report and responded to Council questions. Public comment was received from Sue Rodman. Following

Council discussion, it was moved by Councilmember Neau and seconded by Councilmember Saragosa that the City Council adopt a resolution for the following actions:

- 1. Approving a Consulting Services Agreement with Wood Rodgers, Inc. in a Not-to-exceed Amount of \$34,000 to Conduct a Record of Survey and Engineering Support for the Hangtown Creek Culvert Repair (CIP #42013); and*
- 2. Approving a Budget Appropriation in the Amount of \$40,000 from the General Fund Contingency for Unforeseen Expenditures for the Said Project*

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

AYES: Borelli, Neau, Saraogsa
NOES: None
ABSENT: Taylor
RECUSED: Thomas

12.4 Adopt a Resolution:

- 1. Approving a Construction Contract with Wunschel & Sons, Inc. for the Conrad Street Sewer Line Replacement Project (CIP #41916) in an amount not to exceed \$317,703, and Authorizing the City Manager to Execute the Same; and**
- 2. Authorizing the City Manager to Negotiate and Execute any Necessary Contract Change Orders with Wunschel & Sons, Inc. up to \$25,000 per Change Order for the Project for a Not to Exceed Aggregate Amount of \$79,425. The said Change Orders Shall be Brought to the Next Available City Council Meeting for Either Approval or Ratification; and**
- 3. Approving a Consulting Services Agreement with Dewberry|Drake Haglan for Inspection Services in the Amount of \$28,829.30 for the said Project and Authorizing the City Manager to Execute the Same; and**
- 4. Approving a \$125,000 Budget Appropriation from the Measure H Fund for the Said Project; and**
- 5. Approving a \$265,129 Budget Appropriation from the Measure L Fund for the Said Project (Ms. Neves)**

Resolution No. 8993

The City Engineer presented the item and responded to Council questions. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Saragosa and seconded by Councilmember Neau that the City Council adopt a resolution for the following actions:

1. *Approving a Construction Contract with Wunschel & Sons, Inc. for the Conrad Street Sewer Line Replacement Project (CIP #41916) in an amount not to exceed \$317,703, and Authorizing the City Manager to Execute the Same; and*
2. *Authorizing the City Manager to Negotiate and Execute any Necessary Contract Change Orders with Wunschel & Sons, Inc. up to \$25,000 per Change Order for the Project for a Not to Exceed Aggregate Amount of \$79,425. The said Change Orders Shall be Brought to the Next Available City Council Meeting for Either Approval or Ratification; and*
3. *Approving a Consulting Services Agreement with Dewberry | Drake Haglan for Inspection Services in the Amount of \$28,829.30 for the said Project and Authorizing the City Manager to Execute the Same; and*
4. *Approving a \$125,000 Budget Appropriation from the Measure H Fund for the Said Project; and*
5. *Approving a \$265,129 Budget Appropriation from the Measure L Fund for the Said Project.*

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

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

12.5 Adopt a Resolution Approving an Agreement with Kronick, Moskovitz Tiedemann & Girard, to Provide City Attorney Services to the City of Placerville (Mr. Morris)

Resolution No. 8994

The City Manager presented the report and responded to Council questions. Public comment was received from Kirk Smith. Following Council discussion, it was moved by Councilmember Neau and seconded by Councilmember Borelli that the City Council adopt a resolution approving an agreement with Kronick, Moskovitz Tiedemann & Girard to provide City Attorney services to the City of Placerville.

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

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- **El Dorado County Transit Authority**

No report, the last meeting was cancelled.

- **El Dorado County Transportation Commission**

No report.

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

Councilmember Neau said LAFCO approved a contract for MSRs for small and medium water agencies in El Dorado County. She also said Jose Henriquez resigned and Erica Sanchez will serve as the Interim Executive Officer.

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

No report.

- **Pioneer Community Energy Board of Directors**

Meets Thursday.

- **Placerville Fire Safe Council**

Councilmember Borelli said the Fire Safe Council will be doing some public outreach during the National Night Out event.

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

Councilmember Neau requested a review of City bed & breakfasts when the next Air BnB report is brought to the City Council.

15. CITY MANAGER AND STAFF REPORTS

15.1 Receive and File Placerville Police Statics for the Month of June (Chief Wren)

The June 2021 statistics were received and filed.

15.2 Receive and File June Fire Station 25 Run Report (Chief Cordero)

The June Fire Station 25 Run Report was received and filed.

At this time, Councilmember Borelli asked the City Manager to provide an update on the health of the redwood Christmas tree on Bedford Avenue and Main Street. The City Manager said it was checked out by an arborist and is in an overall good, healthy condition. Added irrigation to the neighboring Monument Garden will help provide more water to the tree.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Western Placerville Interchange Phase 2 Relinquishment to Caltrans, Middletown Road Paving Contract, Parking Code Revision - Parking Restrictions - various locations, MBI Amendment Request for Clay Street, Traffic Speed on Placerville Drive Ordinance, Cedar Ravine Sewer - Receive and file final draft design memo, request direction, grant Engineering permission to develop and release a Request for Proposal for design services, RBI FY 21-22 National Pollution Discharge and Elimination System (NPDES) Support, Civic Lab Presentation – Broadway, A-Board signs, Tobacco Retail Ordinance, Private Sewer Ordinance, Part time employee wage scale revision, Youth Basketball fee increase, Local 39 Memorandum of Understanding, and Police & Fire Reports.

17. ADJOURNMENT @ 8:25 p.m.

The next regularly scheduled Council meeting will be held on August 10, 2021, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting pending action on Item 7.10 of this agenda.

Regina O'Connell, City Clerk