

## MINUTES

PLACERVILLE CITY COUNCIL  
REGULAR MEETING  
**TUESDAY, JANUARY 25, 2022**

CLOSED SESSION: 4:00

**OPEN SESSION: 5:00 PM**

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

### **4:00 P.M. CLOSED SESSION**

**Item 1: Conference with Legal Counsel – Anticipated Litigation**  
**Government Code §54956.9(d)(1)**

Liability Claims Claimant Pursuant to Government Code sections 54956.9 and 54954.5 (On January 7, 2022, Joseph Connolly alleged that the City violated the Brown Act at its December 14, 2021 meeting).

Agency claimed against: City of Placerville (City Councilmembers Borelli, Thomas, and Police Chief Wren)

**Item 2: Conference with Labor Negotiators**  
Patrick Clark, Cleve Morris, Dave Warren  
**Government Code § 54957.6**  
Bargaining Unit: Local 39

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### **5:00 P.M. OPEN SESSION**

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

*The Mayor called the meeting to order at 5:02 p.m. and The Pledge of Allegiance to the Flag was recited.*

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

**3. CEREMONIAL MATTERS**

*No ceremonial matters were scheduled.*

**4. CLOSED SESSION REPORT – City Attorney Ebrahimi**

*The City Attorney reported the City Council met in Closed Session on two items. The Council met on labor negotiations and provided direction to Staff. The Council also met on a claim from Mr. Joseph Connolly from January 7, 2022 alleging a Brown Act violation that he claims occurred at the December 14, 2022,*

*City Council meeting. By unanimous vote, the City Council has determined to reject the claim and conclude that no Brown Act violation has occurred. This recommendation was supported by Ms. Ebrahimi as the City Attorney as well. The Council further directed Ms. Ebrahimi to provide a written response to Mr. Connolly outlining the explanations for its rejection of the claim. To the extent that Mr. Connolly has requested certain documents, those will be made available in the Clerk's office.*

## **5. ADOPTION OF AGENDA**

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

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

## **6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC**

### **6.1 Brief Comments by the City Council**

*Brief comments were made by the City Council.*

## **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 Approve the Minutes of the Regular City Council Meeting of January 11, 2022 (Ms. O'Connell)**

*Approved the Minutes of the Regular City Council Meeting of January 11, 2022.*

### **7.2 Approve the Accounts Payable Register (Mr. Warren)**

*Approved the Accounts Payable Register.*

### **7.3 Approve the Payroll Register (Mr. Warren)**

*Approved the Payroll Register.*

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

*Received and Filed Public Records Requests.*

## **7.5 Adopt a Resolution:**

**1.) Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. for the Water Valve Replacement Project (CIP #42007) in an Amount not to Exceed \$55,200 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 Doug Veerkamp General Engineering, Inc. up to an Aggregate Not-to-exceed Amount of \$25,000 for the Said Project. The Said Change Order(s) Shall be Brought to the Next Available City Council Meeting for Ratification (Mr. Stone)**

### **Resolution No. 9042**

*Adopted a resolution for the following actions:*

*1. Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. for the Water Valve Replacement Project (CIP #42007) in an Amount not to Exceed \$55,200 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 Doug Veerkamp General Engineering, Inc. up to an Aggregate Not-to-exceed Amount of \$25,000 for the Said Project. The Said Change Order(s) Shall be Brought to the Next Available City Council Meeting for Ratification*

## **7.6 Receive and File Councilmember Appointments to Other Agencies and Boards (Ms. O'Connell)**

*This item was pulled for discussion. Following discussion by the City Council, the Mayor's appointments of Councilmember Committee Assignments for 2022 were received and filed with Vice-Mayor Saragosa being assigned to the Opportunity Knocks/Continuum of Care and Mayor Taylor assigned as the alternate.*

*No public comment was received on the Consent Calendar. It was moved by Councilmember Borelli and seconded by Councilmember Thomas that the City Council pull Item 7.6 for discussion and approve the balance of the Consent Calendar (Items 7.1 through 7.5). The motion was passed by the following roll call vote:*

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

## **8. PUBLIC COMMENT – NON-AGENDA ITEMS**

## **8.1 Written Communication**

*No written communication was received on non-agendized items.*

## **8.2 Oral Communication**

*Oral communication was received from Mandi Rodriguez, Ruth Michelson, Leo Bennett-Cauchon, Kathi Lishman, Sue Rodman, and Call-in User\_1.*

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

*Item 7.6 was 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 Consider Request by JSCR Management (Reserve House) for an Extension of the One-year Deadline to Open a Cannabis Business in the City of Placerville (Mr. Morris)**

*The City Manager summarized the item and responded to Council questions. Public comment was received from Kathi Lishman, Lujan, Ruth Michelson, Call-in User\_1, Annie Aubrey, and Sue Rodman. Comments were also received from applicants Jeremy Dlabaj and Kevin Gamm. Following Council discussion, it was moved by Vice-Mayor Saragosa and seconded by Councilmember Neau that the City Council deny the request for an extension of the one-year deadline to open a cannabis business in the City of Placerville and do not grant any further licenses at this time. The motion was passed by the following roll-call vote:*

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

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

### **12.2 Adopt a Resolution:**

**1.) Directing the Community Services Department (CSD) to Administer the Seven (7) Approved Downtown Special Events that Warrant Main Street Closures, as Shown in Attachment “E;” and**

**2.) Authorizing Staff to Implement Revisions to the Special Event Processes and, Protocols, to Provide Overall Administration of the Events and Provide Some Cost Recovery Where Possible; and**

**3.) Authorizing Staff to Engage Non-profits for the Co-sponsorship and Coordination of Certain Special Events to Provide Improved Continuity in the Future (Mr. Zeller)**

**Resolution No. 9043**

*The Director of Community Services introduced the item and responded to Council questions. Public comment was received from Sue Rodman, Leo Bennett-Cauchon, Laurel Brent-Bumb, Ruth Michelson, Sue Taylor, Kathi Lishman, Lujan, Mandi Rodriguez, and Call-in User\_1.*

*Following Council discussion, it was moved by Councilmember Thomas and seconded by Vice-Mayor Saragosa that the City Council adopt a resolution for the following actions:*

*1. Directing the Community Services Department (CSD) to Administer the Seven (7) Approved Downtown Special Events that Warrant Main Street Closures, as Shown in Attachment “E;” and*

*2. Authorizing Staff to Implement Revisions to the Special Event Processes and, Protocols, to Provide Overall Administration of the Events and Provide Some Cost Recovery Where Possible; and*

*3. Authorizing Staff to Engage Non-profits for the Co-sponsorship and Coordination of Certain Special Events to Provide Improved Continuity in the Future.*

*In addition, it was moved to develop policies that establish a limited public forum and direct Staff to come back with a policy to address the area of the closure around the bell tower.*

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

AYES: Borelli, Neau, Saragosa, Taylor, Thomas

NOES: None

ABSENT: None

ABSTAIN: None

**12.3 Authorize Staff to Proceed with Program to Provide Outdoor Dining on Main Street (Mr. Morris)**

*The City Manager presented the item and responded to Council questions. Public comment was received from Sue Rodman, Kathi Lishman, John Clerici, Ruth Michelson, Mickey Kaiserman, Kirk Smith, Call-in User\_1, David Ross, Tony Windle, Mandi Rodriguez, and Julie Robinson. Following Council discussion, it was moved by Councilmember Thomas*

*and seconded by Councilmember Neau that the City Council not authorize Staff to proceed with the program to provide outdoor dining on Main Street at this time. The motion was passed by the following roll-call vote:*

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

#### **12.4 Review Recommendations from the Placerville Economic Advisory Committee Regarding Changes to the Zoning Code for Formula Business (Mr. Morris)**

*The City Manager explained the item and responded to Council questions. Public comment was received from Sue Taylor, Call-in User\_1, Kathi Lishman, Ruth Michelson, Kirk Smith, and Mandi Rodriguez. Following Council discussion, it was moved by Vice-Mayor Saragosa and seconded by Mayor Taylor that the City Council table the item to a future meeting within 30 days. The motion was passed by the following roll-call vote:*

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

#### **12.5 Adopt a Resolution:**

**1.) Approving the Establishment of a Youth NFL Flag Football Program; and**

**2.) Approving a Youth NFL Flag Football Registration Fee of \$189.00 per Player Effective January 25, 2022; and**

**3.) Approving a Youth NFL Flag Football Early Bird Registration Fee of \$179.00 per Player Effective January 25, 2022 (Mr. Zeller)**

#### **Resolution No. 9044**

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

*1. Approving the Establishment of a Youth NFL Flag Football Program; and*

*2. Approving a Youth NFL Flag Football Registration Fee of \$189.00 per Player Effective January 25, 2022; and*

3. *Approving a Youth NFL Flag Football Early Bird Registration Fee of \$179.00 per Player Effective January 25, 2022*

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

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

## **12.6 Informational Report/Update on Short Term Rentals and Ordinance Revisions (Mr. Rivas)**

*The Director of Development Services presented the informational report and responded to Council questions. Public comment was received from Ruth Michelson, Julie Robinson, David Ross, Lujan, Laurel Brent-Bumb, James Webb, Mandi Rodriguez, Sue Rodman, Kathi Lishman, Nicole Gotberg, and Amber Ross. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Neau that the City Council direct Staff to bring back an ordinance from the Planning Commission that allows short-term vacation rentals in the commercial and highway commercial zones subject to a special temporary use permit.*

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

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

*At this time, it was moved by Councilmember Thomas and seconded by Mayor Taylor that the City Council continue the meeting past 10:00 p.m. addressing only items 14 and 15.*

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

*This item was not discussed.*

- **El Dorado County Transit Authority**  
Mayor Taylor, Councilmember Neau
- **El Dorado County Transportation Commission**  
Councilmember Thomas, Mayor Taylor, Councilmember Borelli
- **LAFCO (El Dorado Local Agency Formation Commission)**  
Councilmember Neau
- **SACOG (Sacramento Area Council of Governments)**  
Vice-Mayor Saragosa

- **Pioneer Community Energy Board of Directors**  
Councilmember Thomas, Vice-Mayor Saragosa
- **Placerville Fire Safe Council**  
Councilmember Borelli
- **City/County Two by Two Committee**  
TBD
- **Opportunity Knocks/Continuum of Care**  
Councilmember Neau, Councilmember Thomas

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

*No requests for future agenda items were made.*

**15. CITY MANAGER AND STAFF REPORTS**

**15.1 Consider Virtual/Hybrid Setting for February 8, 2022 City Council Meeting (Verbal Report, Mr. Morris)**

*The City Manager provided the verbal report. Public comment was received from Sue Rodman and Ruth Michelson. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Borelli that the City Council hold the February 8, 2022, regularly scheduled City Council meeting in a virtual setting. The motion was passed by the following roll-call vote:*

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

**16. UPCOMING ITEMS**

*Items tentatively scheduled for the next City Council meeting include: Placerville Fire Safe Council Presentation, Engineering Analyst Position, Code Enforcement Fee Schedule Update, Broadway Sidewalks – REY Amendment 6, Broadway Sidewalks – Acceptance of IODs, Smith Flat Road Surveying Contract, Hangtown Creek Sewer - Clay to Locust, Ratify Town Hall change Orders and Budget Appropriation, Renew Resolution Extending Virtual Meetings, Measure J Report, Investment Report, Hotel TOT Sharing Agreement, and Vietnam Memorial and Monument Garden Recognition.*

**17. ADJOURNMENT @ 10:42 p.m.**

The next regularly scheduled Council meeting will be held on February 8, 2022, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting



Regina O'Connell, City Clerk