

MINUTES

PLACERVILLE CITY COUNCIL REGULAR MEETING TUESDAY, FEBRUARY 28, 2023

CLOSED SESSION 4:30 P.M.

OPEN SESSION: 5:00 P.M.

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

4:30 P.M. CLOSED SESSION

This meeting was held virtually via Zoom.

Item 1: Conference with Real Property Negotiator Government Code § 54956.8

Property: 525 Main Street, Placerville, CA 95667

City Negotiator: Cleve Morris, City Manager

Negotiating Party: Arts & Culture El Dorado

Under Negotiation: Lease price and terms of payment

5:00 P.M. OPEN SESSION

This meeting was held virtually via Zoom.

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

The Mayor called the meeting to order at 5:00 p.m. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Clerici, Gotberg, Neau, Saragosa, Yarbrough

3. CEREMONIAL MATTERS

3.1 Introduction and Swear-In of New Police Officers and Police Dispatcher/Records Technicians (Mr. Wren)

This item was tabled to the March 28, 2023, City Council meeting.

4. CLOSED SESSION REPORT – City Attorney Ebrahimi

The City Attorney reported the City Council met in Closed Session regarding property negotiations and provided direction to Staff. Prior to adjourning to Closed Session, public comment was received from Leo Bennett-Cauchon.

5. ADOPTION OF AGENDA

It was moved by Vice-Mayor Neau and seconded by Councilmember Gotberg to move Item 12.6 before 12.1 and adopt the balance of the agenda as presented. The motion passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

6.1 Brief Comments by the City Council

The City Council made brief comments.

6.2 Placerville Fire Safe Council Update (Mr. Morris)

Mark Acuna of the Placerville Fire Safe Council provided information on the upcoming wildfire season preparedness event taking place on March 18, 2023. Public comment was received from Sue Rodman.

6.3 Acknowledge and File the Worker's Compensation Trending Report as of June 30, 2022 (Mr. Warren)

Devora Brainard of Sedgwick Claims Management Services presented information on the Worker's Compensation Trending Report.

6.4 Announcement of the Public Member Appointments to the Planning Commission and Recreation & Parks Commission (Ms. O'Connell)

The City Clerk announced the appointments of new and returning Commissioners for the Planning Commission and the Recreation and Parks Commission. Public comment was received from Ruth Michelson.

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 February 14, 2023 (Ms. O'Connell)

Approved the Minutes of the Regular City Council Meeting of February 14, 2023.

B. Approve the Minutes of the Special City Council Meeting of

February 15, 2023 (Ms. O’Connell)

Approved the Minutes of the Special City Council Meeting of February 15, 2023.

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 Acknowledge and File the Quarterly Investment Report for the Period Ended December 31, 2021 (Mr. Warren)

Acknowledged and filed the Quarterly Investment Report for the period ended December 31, 2021.

7.6 Acknowledge and File the Measure J Fund Financial Report for the Quarter ended September 30, 2021 (Mr. Warren)

Acknowledged and filed the Measure J Fund Financial Report for the quarter ended September 30, 2021.

It was moved by Councilmember Clerici and seconded by Councilmember Yarbrough that the City Council approve the Consent Calendar as presented. The motion was passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

8. PUBLIC COMMENT – NON-AGENDA ITEMS

8.1 Oral Communication

*Oral communication was received from Ruth Michelson, Sue Rodman, Leo Bennett-Cauchon, and caller *857.*

8.2 Written Communication

No written communication was received.

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

Item 12.6 was moved for discussion before Item 12.1.

12.1 Adopt a Resolution Approving an Agreement with El Dorado County Farm Trails for the Following:

- 1. Agree to move the Farmer's Market to the Fox Lot at 247 Main Street in Downtown Placerville Effective June 1, 2024**
- 2. Authorizing the use of the Bell Tower for the Farmer's Market from June 1, 2023 – October 30, 2023**
- 3. Requiring the Farmer's Market to Have a Minimum of 80% Agriculture Related Businesses as Defined by State Code**
- 4. Authorize the City Manager to Execute the Agreement (Mr. Zeller)**

Resolution No. 9174

*The Director of Community Services presented the report and responded to Council questions. Public comment was received from Anton Nemeth, Kathi Lishman, Ruth Michelson, Sue Rodman, Tiffany, Ruth Carter, Brittany Franchi, Leo Bennett-Cauchon, caller *857, Michael Williams, Wunschel, Tammy Danz, Kirk Smith, Lindsey McDonald, Mike Beals, Greg Rockney, Ben Hansen, and Seana Hartsell. Written communication was received from Patti Farrington.*

Following public comment, the Mayor called for a brief recess due to a power outage, which caused several attendees and panelists to lose their virtual connection.

The Mayor reconvened the meeting at 7:47 p.m. The full City Council was present. Following Council discussion, it was moved by Vice-Mayor Neau that the City Council adopt a resolution approving an agreement with El Dorado County Farm Trails to include:

- 1. Moving the farmers' market to the Mooney lot in 2023; and*
- 2. Requiring the farmers' market to have 100% agricultural related business; and*

3. *Requiring the farmers' market to provide restrooms or negotiate the use of the restrooms at Town Hall, covering all costs to City and Staff.*

The motion was seconded by Councilmember Gotberg.

Following further discussion, Vice-Mayor Neau amended her motion to include the option of moving the farmers' market to the Mosquito lot and amend the existing agreement based on the parameters set forth by the City Council. The amended motion was seconded by Councilmember Gotberg and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa
NOES: Yarbrough
ABSENT: None
ABSTAIN: None

12.2 Adopt a Resolution Approving an Agreement with Arts and Culture El Dorado for use of 525 Main Street for Offices and Gallery Space (Mr. Morris)

Resolution No. 9175

*The City Manager summarized the item and responded to Council questions. Public comment was received from Ruth Michelson, Sue Rodman, caller *857, Terry LeMoncheck, Leo Bennett-Cauchon, Kirk Smith, and Kathi Lishman. Following up on a conflict of interest inquiry by the Mayor, the City Attorney stated there was no economic interest or contractual conflict regarding the Mayor's wife's involvement with Arts and Culture El Dorado. After further discussion by the City Council, it was moved by Vice-Mayor Neau and seconded by Councilmember Clerici that the City Council adopt a resolution approving an agreement with Arts and Culture El Dorado for use of 525 Main Street for offices and gallery space.*

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

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

12.3 Adopt a Resolution Approving and Affirming Amendment No. 3 to the Employment Agreement with M. Cleve Morris, City Manager, Which Provides City Paid IRC Section 457(b) Deferred Compensation Contributions Equal to 5.00% of Base Salary Effective March 4, 2023 and Authorizing the Mayor to Execute the Same (Ms. Ebrahimi/Mr. Warren)

*The Assistant City Manager/Director of Finance introduced the item. Public comment was received from Ruth Michelson, caller *857, and Kathi Lishman.*

At this time, power was lost in many parts of the City and the connection dropped for several staff and City Council members. The Mayor, without a quorum, was unable to continue the meeting to date certain, so he instead cancelled the remainder of the items for discussion and ended the meeting at approximately 9:15 p.m.

12.4 Adopt a Resolution Opposing Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act (Mr. Morris)

This item was not discussed due to a power outage and cancellation of the meeting.

12.5 Confirm the Recommended Appointments to the Measures H & L Sales Tax Committee and the Placerville Economic Advisory Committee (Ms. O'Connell)

This item was not discussed due to a power outage and cancellation of the meeting.

12.6 *This item was moved for discussion before Item 12.1.*

Adopt a Resolution:

- 1. Ratifying the purchase of a 2022 Ford Explorer SUV from Folsom Lake Ford in the amount of \$41,992.55; and**
- 2. Approving the purchase of three (3) 2023 Ford Police Interceptor utility vehicles from Folsom Lake Ford in the amount of \$148,190.19 - for the Police Department; and**
- 3. Authorizing the Chief of Police or designee to execute any documentation for the said purchase; and**
- 4. Approving a \$50,000 budget liquidation from the ARPA Fund for the Sewer and Water Bill Assistance Program; and**
- 5. Approving a \$50,000 budget appropriation from the ARPA Fund for One 2023 Ford Interceptor SUV; and**
- 6. Approving a \$55,195 budget liquidation from the ARPA Fund for the County Navigation Center; and**
- 7. Approving a \$55,195 budget appropriation from the ARPA Fund for One 2023 Ford Interceptor SUV (Chief Wren)**

Resolution No. 9173

*The Chief of Police presented the staff report. Public comment was received from Sue Rodman, caller *857, and Kirk Smith. Following Council discussion, it was moved by Councilmember Clerici and seconded by Vice-Mayor Neau that the City Council adopt a resolution for the following actions:*

- 1. Ratifying the purchase of a 2022 Ford Explorer SUV from Folsom Lake Ford in the amount of \$41,992.55; and*
- 2. Approving the purchase of three (3) 2023 Ford Police Interceptor utility vehicles from Folsom Lake Ford in the amount of \$148,190.19 - for the Police Department; and*
- 3. Authorizing the Chief of Police or designee to execute any documentation for the said purchase; and*
- 4. Approving a \$50,000 budget liquidation from the ARPA Fund for the Sewer and Water Bill Assistance Program; and*
- 5. Approving a \$50,000 budget appropriation from the ARPA Fund for One 2023 Ford Interceptor SUV; and*
- 6. Approving a \$55,195 budget liquidation from the ARPA Fund for the County Navigation Center; and*
- 7. Approving a \$55,195 budget appropriation from the ARPA Fund for One 2023 Ford Interceptor SUV.*

The motion passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

At this time, the City Council moved to Item 12.1 for discussion.

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

This item was not discussed due to a power outage and cancellation of the meeting.

- **El Dorado County Transit Authority**
Vice-Mayor Neau, Councilmember Yarbrough
- **El Dorado County Transportation Commission**
Mayor Saragosa, Vice-Mayor Neau, Councilmember Clerici
- **LAFCO (El Dorado Local Agency Formation Commission)**

Councilmember Clerici

- **SACOG (Sacramento Area Council of Governments)**
Mayor Saragosa
- **Pioneer Community Energy Board of Directors**
Councilmember Yarbrough
- **Placerville Fire Safe Council**
Vice-Mayor Neau
- **City/County Two by Two Committee**
Mayor Saragosa, Vice-Mayor Neau
- **Opportunity Knocks/Continuum of Care**
Councilmember Gotberg

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

This item was not discussed due to a power outage and cancellation of the meeting.

15. CITY MANAGER AND STAFF REPORTS

This item was not discussed due to a power outage and cancellation of the meeting.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Recognition for Ellen Yevdakimov, Presentation for Placerville Fire Council Update, Broadway Sidewalks Permission to release for bid and award Dewberry Contract Construction Appropriation, Tranquil Creek Agreement, Cedar Ravine Road Multimodal Study CIP and Contract with CivicWell, Cottonwood 4 & 6 Agreement and Map, Astonia Estates Final Map Approval, Trip to Green Draft Plan Presentation and Request for Direction, Clay Street Dewberry Amendment and Quarterly Sales Tac Reports.

17. ADJOURNMENT @ approximately 9:15 p.m.

The next regularly scheduled City Council meeting will be held on Tuesday, March 14, 2023, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting

Regina O'Connell, CPMC, City Clerk