

MINUTES

PLACERVILLE CITY COUNCIL REGULAR MEETING TUESDAY, APRIL 23, 2024

CLOSED SESSION: 4:30 PM

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 - Existing Litigation**
Gov. Code § 54956.9(d)(1)
(CDPH v. El Dorado County, City of Placerville, et al., Case No. 24CV0463)
- Item 2: Public Employee Appointment**
Gov. Code § 54957
Position: City Engineer

5:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 5:00 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 **A Proclamation of the City Council Recognizing The Rotary Club of Placerville for their 80 Years of Dedicated Service to the City (Mayor Neau)**

The Mayor read the proclamation and presented it to members of the Rotary Club of Placerville.

3.2 **A Proclamation of the City Council Declaring May, 2024, as Lyme Disease Awareness Month in the City of Placerville (Mayor Neau)**

The Mayor read the proclamation and presented it to Melissa Moya, CEO and Founder of Lyme Fight Foundation.

No public comment was received.

4. CLOSED SESSION REPORT – City Attorney Ebrahimi

The City Attorney reported that no reportable action was taken on Item 1 of Closed Session (Conference with Legal Counsel - Existing Litigation) and the City Council provided direction to Staff on Item 2 (Public Employee Appointment). No public comment was received in advance of Closed Session.

5. ADOPTION OF AGENDA

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

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

6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

6.1 Receive and File the Social Media Report (Mr. Morris)

Emily Idleman of Bold Communications presented the report. Public comment was received from Ruth Michelson and Kirk Smith. The item was received and filed.

6.2 Brief Comments by the City Council

The City Council made brief comments.

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 April 9, 2024 (Ms. O’Connell)

Approved the Minutes of the Regular City Council Meeting of April 9, 2024.

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 Approve a \$200,000 Budget Appropriation from the Traffic Impact Mitigation Fee Fund Unassigned Fund Balance and Amendment No. 1 to the Consulting Services Agreement with GHD in the Amount of \$149,740 for the Traffic Impact Mitigation Fee Update Project (CIP #41701) and Authorizing the City Manager to Execute the Same (Ms. McConnell)

Resolution No. 9298

Adopted a resolution approving a \$200,000 budget appropriation from the Traffic Impact Mitigation Fee Fund Unassigned Fund Balance for the Traffic Impact Mitigation Fee Update Project (CIP #41701), approving Amendment No. 1 to the Consulting Services Agreement with GHD in the amount of \$149,740 for the said project and authorizing the City Manager to execute the same.

7.6 Approve Amendment #1 to the Consulting Services Agreement and Issuance of Revised Notice to Proceed #1 with Dokken Engineering for Environmental and Engineering Design Services for the Canal Street Phase 1 – Combella Road to Cougar Lane Project (CIP #42402) and the Canal Street Phase 2 - Cougar Lane to US Highway 50 Project (CIP #42404) (Ms. McConnell)

Resolution No. 9299

Adopted a resolution approving Amendment #1 to the Consulting Services Agreement with Dokken Engineering, Inc. to correct the amounts to \$1,980,854.26 for the Canal Street Phase 1 – Combella Road to Cougar Lane Project (CIP #42402) and \$1,231,966.75 for the Canal Street Phase 2 – Cougar Lane to US Highway 50 Project (CIP #42404) for a total amount of \$3,212,821.01, and authorizing the City Manager to execute the same; and authorizing Interim City Engineer to issue and execute a revised Notice to Proceed No. 1 to Dokken Engineering in the total combined amount of \$854,415.00 for the said projects.

7.7 Declare 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. 9300

Adopted a resolution for preliminary approval of the Engineer's Annual Levy Reports regarding the proposed levy and collection of assessments and declaring its intention for the levy and collection of assessments for the City of Placerville Landscape and Lighting Maintenance Assessment Districts, Fiscal Year 2024/2025.

No public comment was received on the Consent Calendar. It was moved by Vice-Mayor Clerici and seconded by Councilmember Gotberg that the City Council approve the Consent Calendar as presented. The motion 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 Mack Storton, Leo Bennett-Cauchon, Kirk Smith, Jolene Vakulich, and Ruth Michelson.

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

10.1 Consideration of an Ordinance Extending the Temporary Moratorium on the Establishment of New Tobacco Retailers for an Additional 10 Months and 15 Days (Mr. Rivas)

The Director of Development Services presented the report. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Yarbrough that the City Council adopt an urgency ordinance extending a moratorium on new tobacco retailer establishments for all purposes within the City of Placerville for additional 10 months and 15 days pending the development and adoption of tobacco product retail regulations.

The motion passed by the following roll-call vote:

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

ABSENT: None
ABSTAIN: None

11. PUBLIC HEARINGS

No public hearings were scheduled.

12. DISCUSSION/ACTION ITEMS

12.1 Consider Ratifying a Construction Contract with Doug Veerkamp General Engineering, Inc. in the Amount of \$29,776.73 for the Broadway Water Main Repair Project (CIP #42426) (Mr. Stone)

Resolution No. 9301

The Director of Public Works summarized the item. Public comment was received from Sue Rodman. The City Attorney made a request to modify Item 1 of the resolution to state, "The City Council of Placerville finds that competitive bidding was dispensed with because there was insufficient time to go out for bids due to the emergency nature of replacing and repairing the failed infrastructure." She added that a four-fifths vote would be required to adopt the resolution pursuant to the public contract code.

Councilmember Saragosa made a motion to adopt the resolution with the City Attorney's suggested language. The motion was seconded by Councilmember Gotberg and passed by the following roll-call vote:

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

12.2 Consider Sponsorship of Two Horse Drawn Wagons as Part of the 75th Anniversary of the Wagon Train (Mr. Youel)

Resolution No. 9302

The Interim Director of Community Services presented the item. Public comment was received from Steve Downer (Highway 50 Association), Ruth Michelson, Leo Bennett-Cauchon, Sue Rodman, and Jolene Vakulich.

The City Attorney suggested having the City Council require, as part of the sponsorship, that the Wagon Train name the City as an additional insured and that the City is indemnified and defended in their insurance.

Vice-Mayor Clerici offered to personally sponsor a wagon if the City sponsored one. Councilmember Saragosa offered to do the same.

Following Council discussion, it was moved by Vice-Mayor Clerici that the City Council approve the Wagon Train Sponsorship at \$1,700 for one wagon, plus two banners at \$350 each, for a total sponsorship of \$2,400, with the request that the Wagon Train include the City, its officials, and employees as additional insureds, indemnified and defended in their insurance. The motion was seconded by Councilmember Yarbrough and passed by the following roll-call vote:

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

12.3 This item has been intentionally left blank.

12.4 Consider Approving a Construction Contract with Musco Lighting Company in an Amount Not to Exceed \$12,967.00 for the Lions Park Baseball Field Lighting Retrofit Project (CIP #42427) and Approving a Budget Appropriation from the Cannabis Business Tax Community Benefit Fund Net Revenues for the Said Project (Mr. Youel)

Resolution No. 9303

The Interim Director of Community Services summarized the item. Public comment was received from Sue Rodman and Leo Bennett-Cauchon.

Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Saragosa that the City Council move staff's recommendation to approve a Construction Contract with Musco Lighting Company in an amount not to exceed \$12,967.00 for the Lions Park Baseball Field Lighting Retrofit Project (CIP #42427) and approve a budget appropriation from the Cannabis Business Tax Community Benefit Fund Net Revenues for the said project.

The City Attorney reminded the City Council that the City Manager requested that the City Council approve up to the \$17,000 that has been allotted for the contract for the cost of prevailing wage.

Vice-Mayor Clerici amended his motion to approve the contract in an amount not to exceed \$17,000. Councilmember Saragosa amended his second and the motion passed by the following roll-call vote:

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

The City Council reported on recent and upcoming meetings of various external bodies. No public comment was received.

- **El Dorado County Transit Authority**
(Mayor Neau, Councilmember Yarbrough)
- **El Dorado County Transportation Commission**
(Mayor Neau, Vice-Mayor Clerici, Councilmember Yarbrough)
- **LAFCO (El Dorado Local Agency Formation Commission)**
(Councilmember Gotberg)
- **SACOG (Sacramento Area Council of Governments)**
(Councilmember Saragosa)
- **Pioneer Community Energy Board of Directors**
(Councilmember Yarbrough)
- **Placerville Fire Safe Council**
(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)

No future agenda items were requested.

15. CITY MANAGER AND STAFF REPORTS

15.1 Receive and File the March Fire Station 25 Run Report (Chief Cordero)

No public comments were received. The item was received and filed.

At this time, Councilmember Yarbrough requested an update on the progress of the short-term rental ordinance. The City Manager stated the item would return to the City Council following the Planning Commission's review on May 21st.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Water and Wastewater Cost of Service Study Update/Direction, Thompson/Sherman/Sheridan Streets- Consultant Agreement, Water Reclamation Facility Secondary Clarifier #3 Drive Unit, Public Safety Bldg. Consultant Agreement, Broadway Sidewalks Contract Change Order # 1 & HSIP

Appropriation, Addendum to EID Wholesale Water Agreement, Placerville Police Officers Association Memorandum of Understanding, Traffic Impact Mitigation Fee Financial Report, Water and Wastewater Cost of Service Study Update/Direction, and Agreement with Sam Emerson- Receivership.

17. ADJOURNMENT @ 7:02 p.m.

The next regularly scheduled Council meeting will be held on May 14, 2024, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting.

Regina O'Connell, CPMC, City Clerk