

MINUTES

PLACERVILLE CITY COUNCIL
 REGULAR MEETING
TUESDAY, AUGUST 8, 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

Item 1: Conference with Legal Counsel - Significant exposure to litigation pursuant to Government Code section 54956.9(d)(4): 2 cases

5:00 P.M. OPEN SESSION**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG**

The Mayor called the meeting to order at 5:06 p.m. and The Pledge of Allegiance to the Flag was recited.

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

3. CEREMONIAL MATTERS

No ceremonial matters were scheduled.

4. CLOSED SESSION REPORT – Interim City Attorney Booher

Interim City Attorney, William Chisum, reported that the City Council provided direction to Staff for the Closed Session item, Conference with Legal Counsel.

5. ADOPTION OF AGENDA

It was moved by Councilmember Gotberg and seconded by Councilmember Yarbrough that the City Council adopt the agenda as presented. The motion passed by the following vote:

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

6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC**6.1 Brief Comments by the City Council**

The City Council made brief comments.

6.2 Presentation and Introduction - Assemblymember Joe Patterson

Assemblymember Joe Patterson addressed the City Council, introducing himself and expressing appreciation in serving the City's district. Vice-Mayor Neau presented Mr. Patterson with a plaque from the City.

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 Regularly Scheduled City Council Meeting of July 11, 2023 (Ms. O'Connell)

Approved the Minutes of the regularly scheduled City Council meeting.

7.2 Approve the Accounts Payable Registers dated July 25, 2023 and August 1, 2023 (Mr. Warren)

Approved the Accounts Payable Registers dated July 25, 2023 and August 1, 2023.

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 Consideration to Amend Title 10 (Zoning) of the Placerville City Code (Second Reading) to Address Required 2021-2029 Housing Element Implementation Program C-2: Accessory Dwelling Units and Junior Accessory Dwelling Units (ADUs & JADUs) to Conform with New State Regulations (File: ZC 20-01); and Find that the Ordinance is Exempt from the California Environmental Quality Act (CEQA) Under 15282(h) of the CEQA Guidelines and Pursuant to Public Resources Code Section 21080.17 (Mr. Rivas)

This item was pulled for discussion. The Director of Development Services summarized the staff report and responded to Council questions. Public

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comment was received from Mandi Rodriguez, Maureen Dion-Perry, Ruth Carter, Ruth Michelson, Julie Robinson, Kirk Smith, (unnamed), Kathi Lishman, and Sue Rodman. Following Council discussion, it was moved by Vice-Mayor Neau and seconded by Councilmember Clerici that the City Council take the following actions:

- 1. Find that the action to modify City Code 10-4-1, 10-4-4, 10-4-12, 10-5-4, 10-5-5, 10-5-6, 10-5-7, 10-5-8 and 10-5-15 by ordinance for updates to the zoning text is exempt from the California Environmental Quality Act (CEQA) under 15282(h) of the CEQA Guidelines and pursuant to Public Resources Code section 21080.17; and*
- 2. Waive the second reading of an Ordinance amending Title 10 of the Placerville Municipal Code Zoning Ordinance as follows: Amending Code Section 10-1-4: Definitions, 10-4-4: Parking and Loading; repeal and reenact 10-4-12: Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU), amend 10-5-4: RE, Estate Residential, 10-5-5: R-1A Single-Family Acre Residential Zone, 10-5-6: R-1, 20,000 Single-Family Residential Zone, 10-5-7: R-1, 10,000 Single-Family Residential Zone, 10-5-8: R-1, 6,000 Single-Family Residential Zone, 10-5-9: R-2, Low Density Multi-Family Residential Zone, 10-5-10: R-3, Medium Density Multi-Family Residential Zone, 10-5-11: R-4, Medium Density Multi-Family Residential Zone, 10-5-12: R-5, Medium Density Multi-Family Residential Zone, 10-5-13: BP, Business-Professional Zone, 10-5-14: CBD, Central Business District Zone, 10-5-15: C, Commercial Zone, 10-5-16: CC, Convenience Commercial Zone, 10-5-17: HWC, Highway Commercial Zone, 10-5-18: HC, Heavy Commercial Zone, 10-5-19: I, Industrial Zone, 10-5-20: PF, Public Facilities Zone, and 10-5-24: Housing Opportunity Zone (HO) of Title 10 (File: ZC 20-01); and*
- 3. Adopt said Ordinance; and*
- 4. Direct Staff to submit the adopted Ordinance to the State Department of Housing and Community Development for review.*

The motion failed by the following roll-call vote:

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

The City Council directed staff to bring the ordinance back with additional options for their consideration.

7.6 Consider Approving Budget Appropriations totaling \$1,370,000 for the Placerville Drive Bicycle and Pedestrian Facilities Project (CIP #41816); and Authorizing the City Engineer or Designee to Issue

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Notice to Proceed No. 6 in the Amount of \$1,313,378.38 to Dewberry Engineers, Inc. for the said Project (Ms. Neves)

Resolution No. 9219

Approved budget appropriations totaling \$1,370,000 for the Placerville Drive Bicycle and Pedestrian Facilities Project (CIP #41816); and authorizing the City Engineer or designee to issue Notice to Proceed No. 6 in the amount of \$1,313,378.38 to Dewberry Engineers, Inc. for the said project.

7.7 Consider Approving the Purchase of One (1) 2023 Jeep Rubicon from Thompson’s Chrysler Dodge Jeep RAM in the Amount of \$56,927.04 for the Police Department (Chief Wren)

Resolution No. 9220

Adopted a resolution approving the purchase of one (1) 2023 Jeep Rubicon from Thompson’s Chrysler Dodge Jeep RAM in the amount of \$56,927.04 for the Police Department.

7.8 Consider a Contract for Goat Grazing on 66.38 Acres of City Property for Vegetation Management for a Total Cost of \$45,470.30 (Mr. Morris)

Resolution No. 9221

Adopted a resolution authorizing the Director of Community Services to negotiate and execute a contract with CAPRA Environmental Services Corp for goat grazing on the 66.38 acres of city property for a total cost of \$45,470.30.

Item 7.5 was pulled for discussion. No public comment was received on the balance of the Consent Calendar. It was moved by Councilmember Clerici and seconded by Vice-Mayor Neau that the City Council pull Item 7.5 for discussion and adopt the balance of the Consent Calendar.

The motion passed by the following roll-call vote:

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

8. PUBLIC COMMENT – NON-AGENDA ITEMS

8.1 Oral Communication

No oral communication was received.

8.2 Written Communication

One article of written communication was received for Item 7.5.

9. ITEMS PULLED FROM THE CONSENT CALENDAR

Item 7.5 was pulled from the Consent Calendar.

10. ORDINANCES

No ordinances were introduced.

11. PUBLIC HEARINGS

No public hearings were scheduled.

12. DISCUSSION/ACTION ITEMS

12.1 Consider Sending a Letter to the State Department of Housing and Community Development, State Department of General Services, and Jamboree Housing Corporation Regarding Parking Concerns at the Proposed Clementine Apartments Project at the Placerville Armory Site (Mr. Morris)

The City Manager presented the report with input from the Director of Development Services. Public comment was received from Ruth Michelson and Ruth Carter. Michael Massey, Chief Development Officer of Jamboree Housing, also addressed the City Council. Following Council discussion, it was moved by Councilmember Clerici and seconded by Councilmember Gotberg that the City Council send a letter to the State Department of Housing and Community Development, State Department of General Services, and Jamboree Housing Corporation regarding parking concerns at the proposed Clementine Apartments Project at the Placerville Armory Site.

The motion passed by the following roll-call vote:

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

12.2 Consider Acknowledging and Filing the America Rescue Plan Act (ARPA) Fund Budget Status Report, Approving \$71,200 Budget Liquidation from the ARPA Fund for a Contribution to El Dorado County for the Homeless Navigation Center, Approving a \$15,000 Budget Appropriation from the ARPA Fund for a Contribution to Arts

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& Culture El Dorado for the Public Art Master Plan, and Approving a \$56,200 Budget Appropriation from the ARPA Fund for a Contribution to Heritage Association of El Dorado County to Update the City's Inventory of Historic Resources (Mr. Warren)

Resolution 9222

The Assistant City Manager/Director of Finance presented the item. Proponents Terry LeMoncheck and Kirk Smith addressed the City Council. Public comment was received from Kathi Lishman, Ruth Michelson, Maureen Dion-Perry, Sue Rodman, Brenda Quintana, Ryan Carter, Jacob Rigoldi, and Michael Frenn. Following Council discussion, it was moved by Vice-Mayor Neau and seconded by Councilmember Clerici that the City Council approve \$15,000 budget liquidation from the ARPA Fund for a contribution to Arts & Culture El Dorado for the Public Art Master Plan and table the Heritage Association of El Dorado County discussion until after the joint City Council and Planning Commission meeting scheduled for August 29, 2023.

The motion passed by the following roll-call vote:

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

The Vice-Mayor called for a brief recess.

12.3 Review and Approve a Policy for Bell Tower Use by the Public (Mr. Morris)

The City Manager summarized the item and responded to Council questions. Public comment was received from Ryan Carter, Ruth Michelson, Sue Rodman, and Kathi Lishman. Following Council discussion, it was moved by Councilmember Clerici and seconded by Councilmember Yarbrough that the City Council approve a policy for Bell Tower Use by the Public, replace "bride and groom" with "couple," and re-evaluate the policy after three weddings have taken place at the Bell Tower. In addition, the Council revised the policy to not allow events at the Bell Tower that do not close the Triangle around the Bell Tower without Council approval. The motion passed by the following vote:

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

12.4 Review of Current No-parking Ordinance and List of Streets (Mr. Morris)

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The City Manager presented the report. No public comment was received. The item was received and filed.

12.5 City Council to Consider Rejecting the Bids Received on June 20, 2023, and Readvertising the Construction Contract Documents for Public Bidding for the Broadway Sidewalks Project (CIP #41606) (Ms. Neves)

Resolution No. 9223

The City Engineer summarized the item and responded to Council questions. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Clerici and seconded by Councilmember Gotberg that the City Council authorize staff to reject bids and readvertise the construction contract documents for public bidding for the Broadway Sidewalks Project (CIP #41606).

The motion passed by the following roll-call vote:

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

12.6 Consider Appropriating Funds for the Smith Flat Road Storm Drain and Paving Project (CIP #42213) and Approving an Agreement for Engineering Services with R.E.Y. Engineers, Inc. for the said Project (Ms. Neves)

Resolution No. 9224

The City Engineer presented the report. Public comment was received from Sue Rodman. It was then moved by Councilmember Gotberg and seconded by Councilmember Yarbrough that the City Council approve a \$400,000 budget appropriation for the Smith Flat Road Storm Drain and Paving Project (CIP #42213), approving an Agreement for Engineering Services with R.E.Y. Engineers, Inc. in the amount of \$809,088 for the said project, and authorizing the City Manager to execute the same, and authorizing issuance of Notice to Proceed # 1 to R.E.Y. Engineers in the amount of \$413,185 for the said project.

The motion passed by the following roll-call vote:

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

12.7 Consideration of an Agreement with Camino Technologies for a Web-based Land Management and Permit Tracking System for the Development Services Department (Mr. Rivas)

Resolution No. 9225

The Director of Development Services presented the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Clerici and seconded by Councilmember Gotberg that the City Council approve a five-year agreement with Camino Technologies for a web-based land management and permitting software system for the Development Services Department for a not-to-exceed amount of \$44,900.00 (first year) for implementation and data conversion; an annual software subscription fee in the amount of \$19,900.00 for the Building Permit Software Project (CIP #42201); and authorize the City Manager to execute the same.

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

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

• **El Dorado County Transit Authority**

Vice-Mayor Neau reported that the My Ride Mileage Reimbursement Program Policy Update was approved, and the board made recommendations for a Passenger Code of Conduct Policy.

• **El Dorado County Transportation Commission**

Vice-Mayor Neau reported that pedestrian and bicycle funds were approved to improve four locations on Pleasant Valley Road.

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

No meeting; however, an ad-hoc committee working on MSR and Sphere of Influence items has a revised draft MSR for the City, which Councilmember Clerici has provided to staff for their review and comments.

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

Mayor Saragosa absent; no report.

• **Pioneer Community Energy Board of Directors**

Councilmember Yarbrough stated the Board reviewed some new marketing items following the re-launch of Pioneer's website as well as reviewed updates on recent state bills.

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- **Placerville Fire Safe Council**

Vice-Mayor Neau reported that the Council is continuously looking for volunteers for their multiple committees and a Firewise accounting form will be online by the end of August, which will allow the public to begin reporting for Firewise Community accreditation in their districts.

- **Opportunity Knocks/Continuum of Care**

Councilmember Gotberg reported that the MOU subcommittee for the Navigation Center met and provided direction to staff regarding agreement conditions. She stated the next step is to review the document at the subcommittee level prior to recommending approval from El Dorado Opportunity Knocks.

No public comment was received.

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

With concurrence from the Council, Councilmember Gotberg suggested the City Council direct staff to send the Bed & Breakfast ordinance to the Planning Commission for consideration to remove the historic home requirement, review parking provisions, and other possible considerations for revision.

No public comment was received.

15. CITY MANAGER AND STAFF REPORTS

15.1 Receive and File July 2023 Police Report - Stats (Chief Wren)

The report was received and filed.

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

The report was received and filed.

15.3 Development Services Department’s Development/Permitting Statistics for the Month of July 2023 (Mr. Rivas)

The report was received and filed.

15.4 Consider Acknowledging and Filing the HDL Sales Tax and Economic Reports for the Quarter Ended March 31, 2023 (Mr. Warren)

Public comment was received from Sue Rodman. The report was received and filed.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Approving the Minutes from the August 7, 2023 Special Meeting of the City Council,

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Proclamation for Prostate Cancer Awareness Month (September), Encroachment Agreement, 7553 Green Valley Road, Broadway Maintenance - REY Amendment 3 and Caltrans Maintenance Agreement, Placerville Drive Storm Drain Repair Contract Change Order #1 and Notice of Completion, Cold Springs Right of Way Exchange for Middletown Apartments, Clay Street Funding Appropriation and Amendment and Notice to Proceed #6, Cedar Ravine Road Multimodal Study CIP and Contract with CivicWell for Cedar Ravine Road Multimodal Study Request for Proposal, Placerville Station EV Charger upgrades, 1383 Organics (Compost) Compliance, Historic City Hall Stabilization Study, A Board Signs, Investment Report, and Measure J Report.

17. ADJOURNMENT @ 8:41 p.m.

The next Regularly Scheduled City Council meeting will be held on Tuesday, August 22, 2023, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting

Regina O'Connell, CPMC, City Clerk