

MINUTES

PLACERVILLE CITY COUNCIL
 REGULAR MEETING
TUESDAY, FEBRUARY 27, 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: Liability Claims/Workers' Compensation Claims**

Government Code §54956.95

Claimant: Everett Aschenbrenner

Agency claimed against: City of Placerville

Item 2: Conference with Legal Counsel – Anticipated Litigation:

Significant exposure to litigation pursuant to §§ 54956.9(d)(2),
 54956.9(e)(1)

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

The meeting was called 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 New Officer Swear-in (Chief Wren)**

The Chief of Police administered the Oath of Office to new police officer, Alex Smith. Officer Smith was joined by his parents.

4. CLOSED SESSION REPORT – City Attorney Ebrahimi

The City Attorney reported that the City Council met in Closed Session on two items, no public comments were received in advance of the meeting, and the Council provided direction on Item 1.

5. ADOPTION OF AGENDA

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It was moved by Councilmember Saragosa 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, 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.

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 February 13, 2024 (Ms. O'Connell)

Approved the Minutes of the regularly scheduled City Council meeting of February 13, 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 Acknowledge and File the Measure J Fund Financial Report for the Quarter Ended December 31, 2023 (Mr. Warren)

Acknowledged and filed the Measure J Fund Financial Report for the quarter ended December 31, 2023.

7.6 Acknowledge and File the Quarterly Investment Report for the Period Ended December 31, 2023 (Mr. Warren)

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Acknowledged and filed the Quarterly Investment Report for the period ended December 31, 2023.

7.7 Consider Requesting \$111,739.00 in Financial Assistance from El Dorado County for the 2024/2025 Fiscal Year to Help Offset Some of the Maintenance Costs Associated with Providing a Comprehensive Program at the Aquatics Center (Mr. Zeller)

Adopted a resolution requesting \$111,739.00 in financial assistance from El Dorado County for the 2024/2025 Fiscal Year to help offset some of the operational costs associated with providing a comprehensive program at the City of Placerville Aquatics Center.

Public comment was received from Sue Rodman.

Resolution No. 9283

7.8 Annual TIM Fee Report (Mr. Warren)

Received and filed the annual report for the Traffic Impact Mitigation Fee for Fiscal Year 2017/2018.

It was moved by Vice-Mayor Clerici and seconded by Councilmember Gotberg that the City Council approve the Consent Calendar. Public comment was received from Sue Rodman for Item 7.7. 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 Sherri Scher, Cheryl Webb, McKenzie, and Sue Rodman. Two letters were submitted to the City Council regarding concerns from On Stage Productions.

8.2 Written Communication

No items of written communication were received.

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

10. ORDINANCES**10.1 Consideration of An Urgency Ordinance Banning Needle and Syringe Exchange Programs in the City of Placerville (Mr. Morris)****Ordinance No. 1715**

The City Manager presented the report 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 Yarbrough that the City Council direct Staff to bring back a first-reading of a regular ordinance for the banning of needle and syringe exchange programs, and adopt an Urgency Ordinance adding Chapter 17 to Title 7 of the Placerville Municipal Code prohibiting the establishment, operation, use, and/or participation in syringe exchange or distribution programs within the City of Placerville.

The motion was passed by the following four-fifths vote:

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

10.2 Consider Adoption of an Ordinance Amending the City’s Current Municipal Code Relating to Purchasing to Allow the Use of Cooperative Purchasing Agreements (Mr. Morris)

The City Manager summarized the item. No public comment was received. It was moved by Vice-Mayor Clerici and seconded by Councilmember Gotberg that the City Council introduce and waive the first reading of an ordinance amending the City’s current municipal code relating to purchasing to allow the use of Cooperative Purchasing Agreements.

The motion passed by the following roll-call vote:

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

10.3 Consider an Ordinance Amendment for Reserve Police Officers “Designated Level 1” Authority in Accordance with California Penal Code 830.6(a)(2) (Chief Wren)

The Chief of Police explained the item. The City Attorney suggested the addition of a sentence to the enactment stating, “The City Council hereby

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authorizes the Police Chief to deputize reserve officers as Designated Level-1 Officers in his discretion and pursuant to State law.”

Public comment was received from John Sekora, Ryan Carter, and Sue Rodman.

Following Council discussion, it was moved by Councilmember Yarbrough and seconded by Vice-Mayor Clerici that the City Council introduce and waive the first reading of an ordinance amending Municipal Code Title 6, Chapter 13 ("Reserve Police Officers"), regarding compliance with State law and recruitment and training of Peace Officers, and include the additional language, as suggested by the City Attorney, to the enactment.

The motion passed by the following roll-call vote:

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

11. PUBLIC HEARINGS

11.1 **Consider Approving an 8.28% increase in the Traffic Impact Mitigation (TIM) Fees Equivalent to the Change in the Engineering New Record Construction Cost Index from December 2021 to January 2024, Effective April 27, 2024, as Shown in Exhibit “A.” (Ms. McConnell)**

Resolution No. 9284

The Interim City Engineer presented the item and responded to Council questions. No public comment was received. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Yarbrough that the City Council adopt a resolution approving an 8.28% increase to the City’s Traffic Impact Mitigation (TIM) Fees equivalent to the Annual Change in the Engineering News Record Construction Cost Index from December 2021 to January 2024, effective April 27, 2024.

The motion passed by the following roll-call vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Consider Adoption of a Resolution Approving a Retired Annuitant Agreement with Steve Youel as Interim Community Services Director (Mr. Morris)

Resolution No. 9285

The City Manager presented the item. Public comment was received from Ryan Carter. It was moved by Vice-Mayor Clerici and seconded by Councilmember Gotberg that the City Council adopt a resolution approving an agreement with Steve Youel, Retired Annuitant, as Interim Community Services Director.

The motion passed by the following roll-call vote:

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

12.2 Consider Adopting a Resolution Authorizing the Director of Community Services to Negotiate a Contract with On the Spot! Janitorial for Custodial Services for City Hall for a Monthly Cost of \$2,600 Effective April 1, 2024 and Authorizing the Director of Community Services to Execute the Same (Mr. Zeller)

Resolution No. 9286

The Director of Community Services summarized the item. No public comment was received. It was moved by Councilmember Saragosa and seconded by Vice-Mayor Clerici that the City Council adopt a resolution authorizing the Director of Community Services to negotiate and execute an agreement with On the Spot! Janitorial for custodial services for City Hall for a monthly amount of \$2,600.00 beginning April 1, 2024, with an annual contract for up to 3 years.

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 requests for future agenda items were made.

15. CITY MANAGER AND STAFF REPORTS

15.1 Acknowledge and File the HDL Sales Tax and Economic Reports for the Quarter Ended September 30, 2023 (Mr. Warren)

No public comments were received. The reports were acknowledged and filed.

15.2 Receive and File January 2024 Police Report – Stats (Chief Wren)

No public comments were received. The report was acknowledged and filed.

15.3 Review of the Draft Private Sewer Lateral Informational Handout and the Draft Certificate of Lateral Compliance (Mr. Rivas)

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

16. UPCOMING ITEMS

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Items tentatively scheduled for the next City Council meeting include: Minutes of the Special Meeting of February 22, 2024, Tobacco Urgency Ordinance, Appropriate Funding from Parking Fund: New Privacy Slats for Parking Garage, Placerville Police Officers Association Memorandum of Understanding, Mid-Year Budget Report, Water and Wastewater Cost of Service Study Update/Direction, Softball League Officials Contract and Fee Increase, and Event Requests for Road Closure.

17. ADJOURNMENT @ 6:33 p.m.

The next regularly scheduled Council meeting will be held on March 12, 2024, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting.

Regina O'Connell, CPMC, City Clerk