

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

February 12, 2019

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667

5:30 P.M. Closed Session

6:00 P.M. Open Session

5:30 CLOSED SESSION

Item 1: Conference with Labor Negotiators
Patrick Clark, Cleve Morris, Dave Warren
Government Code §54957.6
Bargaining Unit: Local 39

Item 2: Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of Placerville v. Rawat, Superior Court of California,
County of El Dorado, Case #PC20170462

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:08 P.M. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Acuna, Borelli, Saragosa, Taylor, Thomas

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.1 Brief Comments by City Council

Councilmember Thomas commented on his recent tour of the Police Station, his attendance at the League of California Cities' New Councilmember Academy, storm drains that were cleared by Todd Pickett and Michael Mitchell to keep businesses from flooding, a potential fiber broadband project, and his meetings with Woodrow Deloria of the El Dorado County Transportation Commission, Terry LeMoncheck from the El Dorado Arts Council, and City Engineer, Rebecca Neves.

Councilmember Taylor thanked several department heads for their time in helping orientate her with the various operations of their departments. She commented on meetings she attended, such as the Fire Safety Workshop and the Sacramento Valley Regional Climate Symposium.

Vice-Mayor Saragosa requested an update from the City Clerk regarding the current status of the City's commissions and committees application period. The City Clerk stated the application period will be extended two additional weeks for the Planning Commission and the Recreation and Parks Commission.

Mayor Acuna thanked Public Works and Police Department staff for their assistance through the wintry weather conditions.

3.2 Caltrans Update: Highway 50 @ Mosquito Rd. (Mayor Acuna)

Mayor Acuna provided an update on the project saying Caltrans is organizing a project team. Proposed dates for the project are April 1st thru April 12th or April 22nd thru May 3rd.

3.3 Acknowledge and file the Worker's Compensation Trending Report (Mr. Warren)

The Director of Finance introduced the item and Dori Zumwalt, Account Executive from York Risk Services Group, presented the Workers' Compensation Trending Report and responded to Council questions. The report was acknowledged and filed.

Item 15.1 (verbal report) was requested to be heard at this time. The Interim Director of Community Services reported the Community Pride Committee received a \$5,000 grant from the El Dorado Community Foundation to help complete the final phase of the Vietnam Veterans' Monument Garden Project.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney stated no reportable action was taken in closed session on the items with the exception of the litigation City of Placerville vs. Rawat, where the Council did not take action other than to reaffirm the prosecution of that case and the appointment of Richard Samuel Emmerson as attorney for the City. Public comment was received from Raghvendra Singh.

5. ADOPTION OF AGENDA

Mayor Acuna suggested moving Item 12.8 before Item 12.1. It was moved by Councilmember Borelli and seconded by Councilmember Thomas to move Item 12.8 before Item 12.1 and adopt the agenda as modified. The motion was passed by the following vote:

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

6. CEREMONIAL MATTERS

No ceremonial matters were scheduled.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communication

No written communication was received.

7.2 Oral Communication

Oral communication was received from Sue Rodman regarding the bollard that was replaced by a planter on Main Street and Sacramento Street.

8. 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.

8.1 Approve the Minutes of the Regular City Council Meeting of January 22, 2019 (Ms. O’Connell)

Approved the Minutes of the regular City Council meeting of January 22, 2019.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 A. Approve the Payroll Register for Pay Period 15 (Mr. Warren)

Approved the Payroll Register for Pay Period 15.

B. Approve the Payroll Register for Pay Period 16 (Mr. Warren)

Approved the Payroll Register for Pay Period 16.

8.4 (1) Adopt a Resolution of Intention (ROI) 19-01 to initiate amendments to Municipal Code Title 10, Chapter 4, adding Section

20: Small Cell Wireless Facilities that are necessary to be consistent with Federal Communications Commission final rule adopted for Wireless Infrastructure Deployment for 5G (47 CFR Part 1); and (2) Consider authorizing the Mayor to sign a letter in support of H.R. 530, the Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019 (Mr. Rivas)

Resolution No. 8700

This item was pulled for discussion by Vice-Mayor Saragosa. The Director of Development Services introduced the item noting a typo in the staff report and resolution where (ROI) 19-01 should be corrected to (ROI) 19-02. Public comment was received from Kirk Smith. Following Council discussion, it was moved by Vice-Mayor Saragosa and seconded by Councilmember Taylor that the City Council adopt a Resolution of Intention (ROI) 19-02 to initiate amendments to Municipal Code Title 10, Chapter 4, adding Section 20: Small Cell Wireless Facilities that are necessary to be consistent with Federal Communications Commission final rule adopted for Wireless Infrastructure Deployment for 5G (47 CFR Part 1); and authorizing the Mayor to sign a letter in support of H.R. 530, the Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019. The motion was passed by the following vote:

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

8.5 Adopt a Resolution of Intention (ROI) 19-01 to initiate amendments to Municipal Code Title 10, Chapter 4, Section 4: Parking and Loading; and Title 10, Chapter 4, Section 12: Accessory Dwelling Units (ADU) that are necessary to be consistent with state statutes adopted in 2017 (SB 229 & AB 494) (Mr. Rivas)

Resolution No. 8701

Adopted a Resolution of Intention (ROI) 19-01 to initiate amendments to Municipal Code Title 10, Chapter 4, Section 4: Parking and Loading; and Title 10, Chapter 4, Section 12: Accessory Dwelling Units (ADU) that are necessary to be consistent with state statutes adopted in 2017 (SB 229 & AB 494).

8.6 Adopt a Resolution:

- 1. Approving the purchase of a 2019 Ford F150, 4X4 Super Cab Truck in the amount of \$30,357.97 from Ron DuPratt Ford; and;**

- 2. Authorizing the Interim Director of Community Services or his designee to execute any paperwork associated with the said purchase (Mr. Lishman)**

Resolution No. 8702

Public comment was received from Sue Rodman on this item. Adopted a resolution approving the purchase of a 2019 Ford F150, 4X4 Super Cab Truck in the amount of \$30,357.97 from Ron DuPratt Ford; and; authorizing the Interim Director of Community Services or his designee to execute any paperwork associated with the said purchase.

Item 8.4 was pulled for discussion. Public comment was received from Kirk Smith on Item 8.4 and from Sue Rodman on Item 8.6. It was moved by Councilmember Borelli and seconded by Vice-Mayor Saragosa to approve the Consent Calendar as modified. The motion was passed by the following roll call vote:

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

Item 8.4 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 Adopt a Resolution:

- 1. Approving a construction services contract with Doug Veerkamp General Engineering, Inc. for the patch paving, sealcoating, and striping of the Fox Parking Lot (CIP #41913) in the amount of \$10,324; and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$1,032. (Mr. Stone)**

Resolution No. 8703

Item 12.8 preceded this item. The Interim Director of Public Works introduced the item and responded to Council questions. Public comment was received from Sue Rodman. It was then moved by Councilmember Borelli and seconded by Councilmember Thomas that the City Council adopt a resolution for the following actions:

- 1. Approving a construction services contract with Doug Veerkamp General Engineering, Inc. for the patch paving, sealcoating, and striping of the Fox Parking Lot (CIP #41913) in the amount of \$10,324; and*
- 2. Authorizing the City Manager to execute the same; and*
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$1,032*

The motion was passed by the following roll call vote:

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

12.2 Adopt a Resolution:

- 1. Approving a construction services contract with Doug Veerkamp General Engineering, Inc. for patch paving, sealcoating, and striping of the Tetrault Parking Lot (CIP #41914) in the amount of \$21,849; and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Authorize the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$2,184 (Mr. Stone)**

Resolution No. 8704

The Interim Director of Public Works presented the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Taylor that the City Council direct staff to seek alternative funds to address the pothole in the Tetrault parking lot and adopt a resolution for the following actions:

- 1. Approving a construction services contract with Doug Veerkamp General Engineering, Inc. for patch paving, sealcoating, and striping of the Tetrault Parking Lot (CIP #41914) in the amount of \$21,849; and*

2. *Authorizing the City Manager to execute the same; and*
3. *Authorize the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$2,184*

The motion was passed by the following roll call vote:

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

12.3 Adopt a Resolution:

1. **Approving Amendment No. 1 to Authorization No. 9 to the Consulting Services Agreement with Dokken Engineering for construction support savings in the amount of \$45,000 for the Western Placerville Interchanges, Phase 2 (CIP #41828); and**
2. **Approving Authorization No. 10 to the Consulting Services Agreement with Dokken Engineering for engineering and environmental services as a part of the Western Placerville Interchanges, Phase 2.2 Eastbound On Ramp (CIP #41918) in an amount not to exceed \$69,887; and**
3. **Authorizing the City Manager to execute the same (Ms. Neves)**

Resolution No. 8705

The City Engineer summarized the item and responded to Council questions. No public comment was received. It was then moved by Councilmember Thomas and seconded by Vice-Mayor Saragosa that the City Council adopt a resolution for the following actions:

1. *Approving Amendment No. 1 to Authorization No. 9 to the Consulting Services Agreement with Dokken Engineering for construction support savings in the amount of \$45,000 for the Western Placerville Interchanges, Phase 2 (CIP #41828); and*
2. *Approving Authorization No. 10 to the Consulting Services Agreement with Dokken Engineering for engineering and environmental services as a part of the Western Placerville Interchanges, Phase 2.2 Eastbound On Ramp (CIP #41918) in an amount not to exceed \$69,887; and*
3. *Authorizing the City Manager to execute the same*

The motion was passed by the following roll call vote:

AYES: Acuna, Borelli, Saragosa, Taylor, Thomas
 NOES: None

ABSENT: None
ABSTAIN: None

12.4 Adopt a Resolution:

- 1. Approving a construction contract with Joe Vicini, Inc. in the amount of \$48,820 for the Big Cut Road Asphalt Rehabilitation Project (CIP #41909); and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$4,882; and**
- 4. Approving a \$28,702 budget appropriation in RMRA revenue for the said project; and**
- 5. Approving a \$28,702 budget liquidation in RMRA revenues from the Pot Holing and Crack Sealing-Placerville Drive Crack Seal project (CIP #418172) (Mr. Stone)**

Resolution No. 8706

The Interim Director of Public Works presented the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Borelli and seconded by Vice-Mayor Saragosa that the City Council adopt a resolution for the following actions:

- 1. Approving a construction contract with Joe Vicini, Inc. in the amount of \$48,820 for the Big Cut Road Asphalt Rehabilitation Project (CIP #41909); and*
- 2. Authorizing the City Manager to execute the same; and*
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for the said project for a not-to-exceed aggregate amount of \$4,882; and*
- 4. Approving a \$28,702 budget appropriation in RMRA revenue for the said project; and*
- 5. Approving a \$28,702 budget liquidation in RMRA revenues from the Pot Holing and Crack Sealing-Placerville Drive Crack Seal project (CIP #418172)*

The motion was passed by the following roll call vote:

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

12.5 Adopt a Resolution:

- 1. Approving a construction contract with Joe Vicini, Inc. in the amount of \$44,480.00 for the Pot Holing and Crack Sealing-Country Club Drive Crack Seal project (CIP #418171); and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for a not-to-exceed aggregate amount of \$4,448 (Mr. Stone)**

Resolution No. 8707

The Interim Director of Public Works presented the item and responded to Council questions. Public comment was received by Sue Rodman. It was then moved by Vice-Mayor Saragosa and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1. Approving a construction contract with Joe Vicini, Inc. in the amount of \$44,480.00 for the Pot Holing and Crack Sealing-Country Club Drive Crack Seal project (CIP #418171); and*
- 2. Authorizing the City Manager to execute the same; and*
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for a not-to-exceed aggregate amount of \$4,448*

The motion was passed by the following roll call vote:

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

12.6 Adopt a Resolution:

- 1. Approving a construction contract with Doug Veerkamp General Engineering, Inc. in the amount of \$77,679.23 for the Upper Airport Road Asphalt Rehabilitation Project (CIP #41911); and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for a not-to-exceed aggregate amount of \$7,767; and**
- 4. Approving a \$29,446 budget appropriation in RMRA revenues for the said project; and**
- 5. Approving a \$16,298 budget liquidation in RMRA revenues from the Pot Holing and Crack Sealing-Placerville Drive Crack Seal project (CIP #418172); and**

- 6. Approving a \$13,148 budget liquidation in RMRA revenues from the Annual Crack Sealing-Variou Streets project (CIP #41920) (Mr. Stone)**

Resolution No. 8708

The Interim Director of Public Works summarized the item. No public comment was received. It was then moved by Councilmember Thomas and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1. Approving a construction contract with Doug Veerkamp General Engineering, Inc. in the amount of \$77,679.23 for the Upper Airport Road Asphalt Rehabilitation Project (CIP #41911); and*
- 2. Authorizing the City Manager to execute the same; and*
- 3. Authorizing the City Manager to negotiate any necessary Contract Change Orders for a not-to-exceed aggregate amount of \$7,767; and*
- 4. Approving a \$29,446 budget appropriation in RMRA revenues for the said project; and*
- 5. Approving a \$16,298 budget liquidation in RMRA revenues from the Pot Holing and Crack Sealing-Placerville Drive Crack Seal project (CIP #418172); and*
- 6. Approving a \$13,148 budget liquidation in RMRA revenues from the Annual Crack Sealing-Variou Streets project (CIP #41920)*

The motion was passed by the following roll call vote:

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

12.7 Adopt a Resolution:

- 1. Approving the placement of a demand upon the current owner of the property located at 1351 Broadway identified as Assessor's Parcel Number 002-251-18-100 requiring performance pursuant to the executed Street Frontage Improvement Agreement (SF-272) that requires the construction of concrete curbs, gutters, and sidewalks along the street frontage of said parcel; and**
- 2. Authorizing the City Manager or designee to execute any associated documentation (Ms. Neves)**

Resolution No. 8709

Councilmember Thomas recused himself due to his conflict of interest relating to property ownership within proximity of the project and left the chamber. The City Engineer explained the item and responded to Council questions. Public comment was received from Ann McQuillen and Kirk Smith. Following Council discussion, it was moved by Vice-Mayor Saragosa and seconded by Councilmember Borelli that the City Council adopts a resolution for the following actions:

- 1. Approving the placement of a demand upon the current owner of the property located at 1351 Broadway identified as Assessor's Parcel Number 002-251-18-100 requiring performance pursuant to the executed Street Frontage Improvement Agreement (SF-272) that requires the construction of concrete curbs, gutters, and sidewalks along the street frontage of said parcel; and*
- 2. Authorizing the City Manager or designee to execute any associated documentation*

The motion was passed by the following vote:

AYES: Acuna, Borelli, Saragosa, Taylor
NOES: None
ABSENT: None
RECUSED: Thomas

Following the vote, Councilmember Thomas re-entered the chamber.

12.8 Adopt a Resolution:

- 1. Approving new participant fees and program schedule for the Placerville Aquatics Center, effective April 1, 2019; and**
- 2. Approving the purchase of an inflatable obstacle course from Aflex Technology for the Aquatic Center for a not to exceed amount of \$10,500; and**
- 3. Approving a \$10,500 budget appropriation from the General Fund unassigned fund balance for the said purchase; and**
- 4. Authorizing the Interim Director of Community Services to negotiate a memorandum of understanding with Marshall Medical Center in the amount of \$10,500 for the said purchase; and**
- 5. Authorizing the Interim Director of Community Services to execute the same (Mr. Lishman)**

Resolution No. 8710

This item preceded Item 12.1. The Interim Director of Community Services presented the item with the assistance of Carissa Lombardi, Aquatics Supervisor. Public comment was received from Kirk Smith. 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. Approving new participant fees and program schedule for the Placerville Aquatics Center, effective April 1, 2019; and*
- 2. Approving the purchase of an inflatable obstacle course from Aflex Technology for the Aquatic Center for a not to exceed amount of \$10,500; and*
- 3. Approving a \$10,500 budget appropriation from the General Fund unassigned fund balance for the said purchase; and*
- 4. Authorizing the Interim Director of Community Services to negotiate a memorandum of understanding with Marshall Medical Center in the amount of \$10,500 for the said purchase; and*
- 5. Authorizing the Interim Director of Community Services to execute the same*

The motion was passed by the following roll call vote:

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

12.9 Adopt a Resolution:

- 1. Awarding a capital lease agreement to Opus Bank in the amount of \$257,862 for a term of five-years and an annual interest rate of 3.16% to finance twelve pieces of equipment and authorizing the execution of the master agreement and the property schedule together with related documents; and**
- 2. Authorizing the City Manager to negotiate and execute the said capital lease agreement and any other documentation related to the said financing (Mr. Warren)**

Resolution No. 8711

The Director of Finance explained 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 Taylor that the City Council adopt a resolution for the following actions:

- 1. Awarding a capital lease agreement to Opus Bank in the amount of \$257,862 for a term of five-years and an annual interest rate of 3.16% to finance twelve pieces of equipment and authorizing the*

execution of the master agreement and the property schedule together with related documents; and

2. *Authorizing the City Manager to negotiate and execute the said capital lease agreement and any other documentation related to the said financing*

The motion was passed by the following roll call vote:

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- **El Dorado County Transit Authority**

Mayor Acuna announced EDCTA's Executive Director, Mindy Jackson, will be retiring after twenty-five years of service.

- **El Dorado County Transportation Commission**

Mayor Acuna reported that Councilmember Borelli was elected as Chair of the commission. Councilmember Borelli said various projects from the Executive Director's Report were discussed, such as the Broadway Sidewalks Project and Highway 50 Hotspot.

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

Mayor Acuna reported fire district consolidation was discussed. He also stated the Executive Director has been asked to attend a future City Council meeting, possibly in April, to present on what the LAFCO organization does.

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

Vice-Mayor Saragosa said SACOG discussed member dues increases and GHG (greenhouse gas) goals.

- **Two by Two**

Councilmember Thomas said homelessness was the primary topic of discussion, which included a financial report from Daniel Del Monte of the El Dorado County Health & Human Services Agency.

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

Mayor Acuna requested a presentation from the Placerville Fire Safe Council. The City Manager stated he is working to set up a meeting with Steve Willis of El Dorado County Fire Safe Council as well as El Dorado County Fire District to discuss their plan and possibly coordinate efforts.

15. CITY MANAGER AND STAFF REPORTS

15.1 Verbal Report: El Dorado Community Foundation Grant for Monument Garden (Mr. Lishman)

This item followed Item 3.3. The Interim Director of Community Services reported the Community Pride Committee received a \$5,000 grant from the El Dorado Community Foundation to help complete the final phase of the Vietnam Veterans' Monument Garden Project.

The City Manager noted a Goal Setting Workshop is tentatively scheduled for the week of March 18, 2019.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting of February 26, 2019, include: Civic Lab Presentation, Ray Lawyer Drive Paving Contract, Lower Airport Paving Contract, Pacific Street Closeout, Street Frontage Improvement Agreement Upper Broadway Bike Lanes (four parcels), Upper Broadway Bike Lanes REY Contract Amendment, MBI Contract Amendment, Truck Purchases (Public Works), and Annual Crime Report

17. ADJOURNMENT @ 8:50 P.M.

The next regularly scheduled Council meeting will be held on February 26, 2019, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk