

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

November 12, 2019

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

4:30 P.M. Measures H/L Projects Open House

5:30 P.M. Closed Session

6:00 P.M. Open Session

5:30 P.M. CLOSED SESSION

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

Properties: 487, 489, 515, and 525 Main Street
Negotiating Parties: El Dorado County and City of Placerville
Under Negotiation: Purchase and terms

**Item 2: Conference with Legal Counsel - Liability Claims
Government Code § 54956.95**

Claimant: Ernesto Perez
Agency claimed against: City of Placerville

**Item 3: Conference with Legal Counsel - Liability Claims
Government Code § 54956.95**

Claimant: Steve Linson
Agency claimed against: City of Placerville

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:06 P.M. and The Pledge of Allegiance was recited. The Mayor then asked for a moment of silence in honor of fallen El Dorado County Sheriff's Deputy, Brian Ishmael.

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

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.1 Brief Comments by City Council

Brief comments were made by the City Council.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney stated the claims of Perez and Linson were unanimously rejected and no other reportable action was taken in Closed Session.

5. ADOPTION OF AGENDA

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

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

6. CEREMONIAL MATTERS

6.1 Proclamation Honoring Fallen El Dorado County Sheriff's Deputy, Brian Ishmael (Mayor Acuna)

The Mayor read the proclamation and presented it to the Ishmael family.

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 Tammy Ingram, Ed Ingram, Sue Rodman, Kirk Smith, and Bill Williams.

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 October 22, 2019 (Ms. O’Connell)

Approved the minutes of the regular City Council meeting of October 22, 2019.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 Approve the Payroll Register for Pay Periods 9 and 10 (Mr. Warren)

Approved the Payroll Register for pay periods 9 and 10.

8.4 Acknowledge and File the HDL Sales Tax and Economic Reports for the Quarter Ended June 30, 2019 (Mr. Warren)

This item was pulled for discussion. The Director of Finance/ Assistant City Manager reported on the item. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Taylor that the City Council acknowledge and file the HDL Sales Tax and Economic Reports for the quarter ended June 30, 2019. The motion passed by a unanimous aye vote.

8.5 Consider Cancellation of November 26, 2019, City Council Meeting (Ms. O’Connell)

Cancelled the November 26, 2019, City Council meeting.

8.6 Adopt Amended Resolution No. 8801 Authorizing Application for, and Receipt of, SB 2 Planning Grants Program Funds through the State Department of Housing and Community Development (Mr. Rivas)

Resolution No. 8803

Adopted a resolution amending Resolution 8801 authorizing application for, and receipt of, SB2 Planning Grants Program Funds through the State Department of Housing and Community Development.

Item 8.4 was pulled for discussion. It was moved by Vice-Mayor Saragosa and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as presented. The motion was passed by the following 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 for discussion.

10. ORDINANCES

10.1 Waive the First Reading and Introduce an Ordinance Adopting Changes to Title 9 of the Placerville Municipal Code Related to Parking (Mr. Morris)

The City Manager presented the item and highlighted revisions made to the draft ordinance. Public comment was received from Sue Rodman and Kirk Smith. Following Council discussion, it was moved by Councilmember Taylor and seconded by Councilmember Thomas that the City Council waive the first reading and introduce an ordinance adopting changes to Title 9 of the Placerville Municipal Code related to parking. The motion passed by the following vote:

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

10.2 Waive the First Reading and Introduce an Ordinance Amending Title 6, Chapter 19 of the Placerville City Code Regulating Camping On Public or Private Property (Chief Ortega)

The Chief of Police presented the item and responded to Council questions with assistance from the City Attorney who clarified legal aspects of the ordinance. Public comment was received from Jamie Beutler, Sean Frame, Kirk Smith, Sue Rodman, and Jackie Neau. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Thomas that the City Council waive the first reading and introduce an ordinance amending Title 6, Chapter 19 of the Placerville City Code regulating camping on public or private property. The motion was passed by the following vote:

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

11. PUBLIC HEARINGS

No public hearings were scheduled.

The Mayor called for a five-minute break.

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution Condemning the Actions and Procedures of PG&E to Shut Off Power to Residents, Businesses and Public Facilities in the City of Placerville (Mr. Morris)

Resolution No. 8804

The City Manager reported on the item. Public comment was received from Sue Rodman and Kirk Smith. Following discussion about the community's hardships faced during the power shut offs, it was moved by Vice-Mayor Saragosa and seconded by Councilmember Borelli that the City Council adopt a resolution condemning the actions and procedures of PG&E to shut off power to residents, businesses and public facilities in the City of Placerville. The motion was passed by the following vote:

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

12.2 Adopt a Resolution Approving an Agreement with the Arts and Culture El Dorado for the Maintenance of the Public Health Mural Project ("Transportation Art") Proposed by the County of El Dorado Health and Human Services Agency, Authorizing the Mayor, City Manager, Director of Development Services, and City Clerk to Execute the Same, and Authorizing Staff to Submit a "Transportation Art" Application to Caltrans for the Painting of a Mural on the Pier Wall Located at the Underpass at U.S. Highway 50 and Mosquito Road (Mr. Rivas)

Resolution No. 8805

The Director of Development Services summarized the item and responded to Council questions. Public comment was received from Kirk Smith, Jackie Neau, Kristen Becker, Andrew Vonderschmitt, Sue Rodman, and John Clerici. Following Council discussion, it was moved by Councilmember Taylor that the City Council adopt a resolution approving an agreement with the Arts and Culture El Dorado for the maintenance of the Public Health Mural Project ("Transportation Art") proposed by the County of El Dorado Health and Human Services Agency, authorizing the Mayor, City Manager, Director of Development Services, and City Clerk to execute the same, and authorizing Staff to submit a "Transportation Art" application to Caltrans for the painting of a mural on the pier wall located at the underpass at U.S. Highway 50 and Mosquito Road. The motion died for lack of a second.

After further discussion, it was moved by Mayor Acuna that the City Council approve the agreement; however, bring the item back for public review in five years. Councilmember Thomas requested the Mayor amend his motion to include a five-year sunset on the agreement. The Mayor declined to amend his motion. The motion was seconded by Councilmember Taylor.

Staff then suggested the City Council direct Staff to revise the draft agreement to modify the twenty years to five years and include a provision that it would be the Arts and Culture El Dorado or the County's responsibility to bring the item back to the Council in five years for public review. The Mayor then amended his motion to include the provisions as outlined by Staff. Councilmember Taylor seconded the motion as amended.

The motion 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. Authorize the City Engineer to Negotiate an Agreement with Light It Up in the Amount of \$15,325 to Install Decorative Lights on the Christmas Tree, Located at the Corner of Bedford Avenue and Main Street and Along the Decorative Lampposts Along Main Street Between Bedford Avenue and Sacramento Street (CIP #42017) in Preparation for the Festival of Lights Event Being Held on November 29, 2019; and

2. Authorize the City Engineer to Execute the Same; and

3. Approve a Budget Appropriation in the Amount of \$15,325 in Local Donations for the Said Project (Ms. Neves)

Resolution No. 8806

The City Engineer presented the item and responded to Council questions. Public comment was received from Sue Rodman and John Clerici. Following Council comments, it was moved by Councilmember Borelli and seconded by Councilmember Thomas that the City Council adopt a resolution for the following actions:

1. Authorize the City Engineer to negotiate an agreement with Light It Up in the amount of \$15,325 to install decorative lights on the Christmas Tree located at the corner of Bedford Avenue and Main Street and along the decorative lampposts along Main Street between Bedford

Avenue and Sacramento Street (CIP #42017) in preparation for the Festival of Lights event being held on November 29, 2019; and

2. *Authorize the City Engineer to execute the same; and*

3. *Approve a budget appropriation in the amount of \$15,325 in local donations for the said project.*

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 Contract Amendment No. 4 with R.E.Y. Engineers, Inc. (R.E.Y.) and Authorizing Staff to Issue Notice to Proceed #6 in an Amount Not to Exceed \$51,456 for the Broadway Sidewalks Project (CIP #41606), and Authorizing the City Manager to Execute the Same; and

2. Approving a Budget Appropriation in the Amount of \$100,000 from the Measure L Fund for the Said Project (Ms. Neves)

Resolution No. 8807

Councilmember Thomas announced a conflict of interest, recused himself from the item, and left the chamber. The City Engineer then presented the item. Public comment was received from Sue Rodman. It was moved by Vice-Mayor Saragosa and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

1. *Approving Contract Amendment No. 4 with R.E.Y. Engineers, Inc. (R.E.Y.) and authorizing Staff to issue Notice to Proceed #6 in an amount not to exceed \$51,456 for the Broadway Sidewalks Project (CIP #41606), and authorizing the City Manager to execute the same; and*

2. *Approving a budget appropriation in the amount of \$100,000 from the Measure L Fund for the said project.*

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

AYES: Acuna, Borelli, Saragosa, Taylor

NOES: None

ABSENT: None

RECUSED: Thomas

12.5 Receive Report on Structural Repairs to Address the Hangtown Creek Culvert at the Jack Russell Brewery Parking Lot (CIP #42013), Direct Staff to Identify Funding Alternatives Including Available Qualifying Grants, and Bring Back Final Recommended Design (Ms. Neves)

Councilmember Thomas announced a conflict of interest, recused himself and left the chamber. The City Engineer presented the report. Public comment was received from Kirk Smith and Sue Rodman. The City Council directed Staff to identify funding alternatives including available qualifying grants, and to bring back a final recommended design. No formal action was taken on this item.

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- **El Dorado County Transit Authority**
Mayor Acuna, Councilmember Taylor
- **El Dorado County Transportation Commission**
Vice-Mayor Saragosa, Councilmember Borelli, Councilmember Thomas
- **LAFCO (El Dorado Local Agency Formation Commission)**
Mayor Acuna
- **SACOG (Sacramento Area Council of Governments)**
Vice-Mayor Saragosa
- **Placerville Fire Safe Council**
Councilmember Borelli
- **Two by Two**
Mayor Acuna, Councilmember Thomas

Council reports from other agency meetings were not addressed.

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

It was requested that Staff bring back a report related to traffic calming measures for Clay Street and weekend traffic re-routing.

15. CITY MANAGER AND STAFF REPORTS

No City Manager and Staff reports.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Western Placerville Interchange Contract Change Orders, Formula Business Report, Historic Lincoln Highway Signage Locations, Public Records Act Report, Local 39 Memorandum of Understanding, and Employee Longevity Awards.

17. ADJOURNMENT @ 10:16 P.M.

The next regularly scheduled Council meeting will be held on December 10, 2019, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk