

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

December 10, 2019

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
5:00 P.M. Closed Session
6:00 P.M. Open Session

5:00 P.M. CLOSED SESSION

**Item 1: Public Employment Performance Evaluation
Government Code § 54957**

City Manager

**Item 2: 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 3: Conference with Legal Counsel – Existing Litigation
Government Code § 54956.9**

Friends of Historic Hangtown v. City of Placerville
El Dorado Superior Court Case No. PC20190624

**Item 4: Conference with Legal Counsel – Threatened Litigation
Government Code § 54956.9**

One case

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:04 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 Introduction of New Fire Chief, Tim Cordero (Chief Ogan, El Dorado County Fire Protection District)

Chief Ogan introduced Tim Cordero as the new El Dorado County Fire Chief

3.2 Brief Comments by City Council

Brief comments were made by the City Council.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney stated no reportable action was taken in closed session.

5. ADOPTION OF AGENDA

It was moved by Vice Mayor Saragosa and seconded by Councilmember Thomas that the City Council adopt the agenda with Item 15.1 moved up before Discussion/Action Items. The motion passed by the following vote:

AYES: Acuna, Borelli, Saragosa, Taylor, Thomas

NOES: None

ABSENT: None

ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Proclamation Honoring Hollis Henderson (Mayor Acuna)

The Mayor presented Proclamation, thanking Hollis for his years with Toys for Tots

6.2 Proclamation Honoring James Whipple (Mayor Acuna)

Proclamation was pushed to January 14, 2020 meeting.

6.3 Employee Service Recognition (Mr. Morris)

The City Manager thanked Bret Stone from Engineering for 10 years of service.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communication

1. Letter from Don Vanderkar dated November 18, 2019
2. Email from Wopumnes Nisenan-Mewuk Tribe dated December 10, 2019
3. Handout on Coalition on Affordable Housing and Homelessness.

7.2 Oral Communication

Oral communication was received from Don Vanderkar, Frank Porter, Jamie Dietler, Kirk Smith, Jennifer Chapman, Maureen Dion Perry, Sean Frame, Jonathan Gainesboro, Robert Adams and Sue Rodman.

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 A. Approve the Minutes of the Regular City Council Meeting of November 12, 2019 (Ms. O'Connell)

Approved the Minutes of the Regular City Council Meeting of November 12, 2019.

B. Approve the Minutes of the Special Meeting of the City Council of November 12, 2019 (Ms. O'Connell)

Approved the Minutes of the Special Meeting of the City Council of November 12, 2019.

8.2 Approve the Accounts Payable Register for November 26, 2019 and December 4, 2019 (Mr. Warren)

Approved the Accounts Payable Registers.

8.3 Approve the Payroll Register for Pay Periods 11 and 12 (Mr. Warren)

Approved the Payroll Registers.

8.4 Adopt a Resolution:

1. Approving an Agreement with the Sierra West Officials Association (SWOA) to Provide Officiating Services for the City's Youth and Adult Basketball Leagues and Authorizing the Director of Community Services to Execute the Same; and

2. Approving a \$3,000 Budget Appropriation from the General Fund Contingency for Unforeseen Expenditures for the Said Agreement

Resolution No. 8808

Adopted a resolution for the following actions:

1.) *Approving an Agreement with the Sierra West Officials Association (SWOA) to Provide Officiating Services for the City's Youth and Adult Basketball Leagues and Authorizing the Director of Community Services to Execute the Same; and*

2.) *Approving a \$3,000 Budget Appropriation from the General Fund Contingency for Unforeseen Expenditures for the Said Agreement.*

8.5 Adopt a Resolution Approving an Agreement with Rock-N-Water to Run Group Tours in Gold Bug Park and Authorizing the Director of Community Services to Execute the Same (Mr. Zeller)

Resolution No. 8809

This item was pulled for discussion. The Director of Community Services reported on the item. Public comment was received from Aaron Daly, and Jennifer Chapman. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Taylor to adopt a resolution approving an agreement with Rock-N-Water to run group tours in Gold Bug Park and authorizing the Director of Community Services to execute the same. The motion was passed by the following vote:

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

8.6 Notify the Media and Public by Approval of this Request that the Regularly Scheduled City Council Meeting of December 24, 2019 is Cancelled (Ms. O'Connell)

Cancelled the December 24, 2019, City Council meeting.

8.7 Adopt a Resolution Approving and Affirming a New Salary Schedule Effective December 28, 2019 (Mr. Zeller)

Resolution No. 8810

Adopted a resolution approving and affirming a New Salary Schedule effective December 28, 2019.

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 8.5 was pulled for discussion.

10. ORDINANCES

10.1 Waive the Second Reading and Adopt an Ordinance Making Changes to Title 9 of the Placerville Municipal Code Related to Parking (Mr. Morris)

Ordinance No. 1701

The City Manager presented the staff report and responded to Council questions. Public comment was received from Jamie Dietler. Councilmember Taylor made a motion to waive the second reading and adopt an Ordinance making changes to Title 9 of the Placerville Municipal Code related to parking. The motion was seconded by Councilmember Borelli and was passed by the following roll-call:

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

10.2 Waive the Second Reading and Adopt 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 and City Attorney presented the staff report and responded to Council questions. Public comment was received from Jonathan Gainesboro, Kirk Smith, Jackie Neau, Maureen Dion Perry, Robert Adams, Sue Rodman, and Marianne Washburn. After suggesting the hours of enforcement in the ordinance be changed to 8:00 am to Sunset, Mayor Acuna made a motion to re-introduce the ordinance with the changes, waiving the first reading and direct Staff to bring the item back on January 14, 2020 with said change for another second reading and adoption. The motion was seconded by Vice Mayor Saragosa and 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.

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution:

1. **Approving Amendment #4 to the Consultant Services Agreement with Michael Baker International in an Amount Not-to-Exceed \$26,310 for Additional Environmental Documentation and Partial Recirculation of the Draft Clay Street Realignment and Bridge Replacement Project Environmental Impact Report (CIP #406171); and**
2. **Authorizing the City Manager to Execute the Same (Mr. Rivas)**

Resolution No. 8811

The Director of Development Services summarized the item and responded to Council questions. Public comment was received from Jennifer Chapman. 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.) *Approving Amendment #4 to the Consultant Services Agreement with Michael Baker International in an Amount Not-to-Exceed \$26,310 for Additional Environmental Documentation and Partial Recirculation of the Draft Clay Street Realignment and Bridge Replacement Project Environmental Impact Report (CIP #406171); and*
- 2.) *Authorizing the City Manager to Execute the Same (Mr. Rivas)*

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

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

12.2 **Adopted a Resolution Approving a Utility Agreement with PG&E in the amount of \$155,043.09 for Pole and Overhead Utility Relocations for the Placerville Station II project (CIP #40708) and Authorize the City Engineer to execute the same (Ms. Neves)**

Resolution No. 8812

The City Engineer presented the item and responded to Council questions. Public comment was received from Tammy Danes. Following council comments it was then moved by Councilmember Taylor and seconded by Vice-Mayor Saragosa that the City Council adopting a resolution approving

a Utility Agreement with PG&E in the amount of \$155,043.09 for Pole and Overhead Utility Relocations for the Placerville Station II project (CIP #40708) and Authorize the City Engineer 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

12.3 Consideration of Initiating the Process to Amend the Zoning Ordinance to Consider Restrictions on Formula Businesses within the Central Business District (CBD) Zone (Mr. Rivas)

The Director of Development Services presented the matter and responded to council questions. Comments from Jennifer Chapman, Kirk Smith, Marian Washburn and Jackie Neau were received. Following council discussion Councilmember Taylor moved to table item 12.3 for 6 months. Councilmember Borelli seconded the motion.

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

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

12.4 Adopted a Resolution of Intention (ROI) 19-04 to Initiate Amendments to Municipal Code Title 10, Chapter 4, Section 12: Accessory Dwelling Units (ADU); and any other Applicable Sections of the Zoning Ordinance that are Necessary to be Consistent with State Statutes Adopted in 2019 (AB 68, AB 881, and SB 13) (Mr. Rivas)

Resolution No. 8813

The Director of Development Services presented the item and responded to Council questions. Public comment was received from Marianne Washburn. Following council comments it was then moved by Councilmember Thomas and seconded by Councilmember Taylor that the City Council adopt a Resolution of Intention (ROI) 19-04 to Initiate Amendments to Municipal Code Title 10, Chapter 4, Section 12: Accessory Dwelling Units (ADU); and any other Applicable Sections of the Zoning Ordinance that are Necessary to be Consistent with State Statutes Adopted in 2019 (AB 68, AB 881, and SB 13).

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

AYES: Acuna, Borelli, Saragosa, Taylor, Thomas

NOES: None
ABSENT: None
ABSTAIN: None

12.5 Adopted a Resolution:

- 1. Approving a Construction Services Contract with Doug Veerkamp General Engineering, Inc. for the Patch Paving, Sealcoating, and Striping Related to the Utility Patch Paving-Variou Streets Project (CIP #41922) in the amount of \$66,518; and**
- 2. Authorize the City Manager to Execute the Same; and**
- 3. Approve a \$6,500 Budget Liquidation in SB1/RMRA Funds from the Annual Patch/Slurry-Variou Streets project (CIP #41923); and**
- 4. Approve a Budget Appropriation in the amount of \$6,500 in SB1/RMRA Funds for the Said Project (Mr. Stone)**

Resolution No. 8814

The Director of Public Works presented the item and responded to Council questions. No public comments were received. Following council comments it was then moved by Councilmember Taylor and seconded by Councilmember Borelli 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 Related to the Utility Patch Paving-Variou Streets Project (CIP #41922) in the amount of \$66,518; and*
- 2.) Authorize the City Manager to Execute the Same; and*
- 3.) Approve a \$6,500 Budget Liquidation in SB1/RMRA Funds from the Annual Patch/Slurry-Variou Streets project (CIP #41923); and*
- 4.) Approve a Budget Appropriation in the amount of \$6,500 in SB1/RMRA Funds 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

12.6 Adopt a Resolution:

1. **Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508 Including the Upper Broadway Pedestrian Connection) in an amount not to exceed of \$4,491,800.30 and the Storm Drain Replacement at the Intersection of Broadway and Schnell School Road project (CIP #42004) in an amount not to exceed \$280,366.00 for a total contract amount of \$4,772,166.30, and authorizing the City Manager to execute the same; and**
2. **Approving a budget liquidation in the amount of \$525,000 from the Measure L Fund for the Broadway Maintenance Project – From Mosquito Road to Schnell School Road (CIP #42003); and**
3. **Approving a \$425,000 budget appropriation from the Measure L Fund for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508 including the Upper Broadway Pedestrian Connection); and**
4. **Approving a \$100,000 budget appropriation from the Measures L Fund for the Storm Drain Replacement at the Intersection of Broadway and Schnell School Road (CIP #42004); and**
5. **Authorize the City Manager to negotiate and execute any necessary Contract Change Orders with Doug Veerkamp General Engineering, Inc. up to \$25,000 per change order for either project for a not to exceed aggregate amount of \$100,000. Said change orders shall be brought to the next available City Council meeting for either approval or ratification (Ms. Neves)**

Resolution No. 8815

The City Engineer presented the item and responded to Council questions. Public comments were received from Sue Rodman. Following council comments it was then moved by Councilmember Borelli and seconded by Councilmember Taylor that the City Council adopt a resolution for the following actions:

- 1.) *Approving a Construction Contract with Doug Veerkamp General Engineering, Inc. for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508 Including the Upper Broadway Pedestrian Connection) in an amount not to exceed \$4,491,800.30 and the Storm Drain Replacement at the Intersection of Broadway and Schnell School Road project (CIP #42004) in an amount not to exceed \$280,366.00 for a total contract amount of \$4,772,166.30, and authorizing the City Manager to execute the same; and*

2.) Approving a budget liquidation in the amount of \$525,000 from the Measure L Fund for the Broadway Maintenance Project – From Mosquito Road to Schnell School Road (CIP #42003); and

3.) Approving a \$425,000 budget appropriation from the Measure L Fund for the Upper Broadway Bike Lanes-Schnell School Road to Point View Drive project (CIP #41508 including the Upper Broadway Pedestrian Connection); and

4.) Approving a \$100,000 budget appropriation from the Measure L Fund for the Storm Drain Replacement at the Intersection of Broadway and Schnell School Road (CIP #42004); and

5.) Authorize the City Manager to negotiate and execute any necessary Contract Change Orders with Doug Veerkamp General Engineering, Inc. up to \$25,000 per change order for either project for a not to exceed aggregate amount of \$100,000. Said change orders shall be brought to the next available City Council meeting for either approval or ratification

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 a Construction Services Contract with Doug Veerkamp General Engineering, Inc. for the Sealcoating and Striping of the Lower Main Street related to the Lower Main Street Asphalt Rehabilitation project (CIP #41910) in the amount of \$49,386.80; and

2. Authorize 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 \$5,000. (Mr. Stone)

Resolution No. 8816

The Director of Public Works presented the item and responded to Council questions. Public comments were received from Sue Rodman. Following council comments it was then moved by Mayor Acuna that the project include the entire area outlined. Councilmember Borelli seconded the motion 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 Sealcoating and Striping of Lower Main Street related to the Lower Main Street Asphalt Rehabilitation project (CIP #41910) in the amount of \$49,386.80; and*

2.) *Authorize 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 \$5,000.*

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

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

12.8 State of the City (Mayor Acuna, Verbal Report)

State of the City was tabled to January 14, 2020 meeting.

12.9 Election of New Mayor and Vice-Mayor (Mayor Acuna)

*Mayor requested nominations from the Council for the election of Mayor and Vice Mayor, **effective January 2020**. Councilmember Borelli nominated Michael Saragosa for Mayor which was seconded by Councilmember Taylor. Councilmember Taylor nominated Dennis Thomas for Vice Mayor which was seconded by Vice Mayor Saragosa.*

Both motions were 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**

No report.

- **El Dorado County Transportation Commission**

No report.

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

No report (next meeting is tomorrow).

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

No report.

- **Placerville Fire Safe Council**

No report

- **Two by Two**

No report

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

Council requested item 8.5 be revisited in 6 months. Mayor’s State of the City to be read during January 14, 2020 meeting.

15. CITY MANAGER AND STAFF REPORTS

15.1 Clay Street Traffic Calming Report (Ms. Neves, Verbal Report)

City Engineer presented the Traffic Calming Report. Public comment was received from Jennifer Chapman, Kirk Smith, Tammy Danes, Sue Rodman, Marian Washburn, Ted Ingram, Kathy Lishman and Mickey Kaiserman was received.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting of January 14, 2020, include: James Whipple retirement Proclamation, Jack Russell culvert, Mosquito Road Phase 1 construction contract, Lincoln Highway signs, Pension Workshop minutes, Mayor’s appointments of Council Members to committees, Second Reading Camping Ordinance, Needle Emergency Ordinance, Vehicle Abatement, Measure J Report, Local 39 MOUs, Western Placerville Interchange Change Orders and Preliminary Risk Assessment Expenditure Report.

17. ADJOURNMENT @ 11:11 P.M.

The next regularly scheduled Council meeting will be held on January 14, 2020, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Erin Strawn, Deputy City Clerk