

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting

**August 28, 2018**

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: Conference with Real Property Negotiator  
(Government Code § 54956.8)**

Property: 487 and 489 Main Street, Placerville

Negotiating Parties: El Dorado Arts Council

Under Negotiation: Finalize Rental Rate and Terms of Lease

**Item 2: Public Employment Performance Evaluation  
(Government Code § 54957)**

City Manager

**6:00 P.M. OPEN SESSION**

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

*The Mayor called the meeting to order at 6:03 P.M. and asked for a moment of silence to honor late Senator John McCain. The Pledge of Allegiance to the Flag was recited.*

**2. ROLL CALL: Present: Acuna, Borelli, Clerici, Thomas**

**3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC**

**3.1 Brief Comments by City Council**

*Mayor Thomas announced Western Placerville Interchange Update #14 and said nine-hundred native plants will be part of the extensive landscaping planned for the project. Mayor Thomas asked the City*

*Engineer to share the news of the City having won an APWA Project of the Year Award for the Canal Street Paving Project. She then announced, due to collaborative efforts by City staff, the City Council and Supervisor Veerkamp, CalTrans will not be closing two lanes of traffic for twelve days on Highway 50 in late September as part of Phase II of the Mosquito Road Bridge Project, and will instead hold off on the project until Spring of 2019.*

*Vice-Mayor Acuna encouraged the public to attend Gold Bug Park and Mine on September 1st, where the rarely-seen Priest Mine will be open.*

*Councilmember Borelli shared information regarding PG&E's Community Wildfire Safety Program. A local workshop will be held September 6<sup>th</sup> to learn more about public safety power shut-offs during extreme fire danger.*

*Councilmember Clerici enjoyed the Farmers' Market on Saturday. He also had the honor of attending a ceremony for SSG Sky Mote, a local citizen killed in combat. Councilmember Clerici learned he had earned the Navy Cross for his remarkable heroism.*

#### **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 Councilmember Clerici and seconded by Councilmember Borelli that the City Council adopt the agenda as presented. The motion was passed by the following vote.*

AYES: Acuna, Borelli, Clerici, Thomas  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

#### **6. CEREMONIAL MATTERS**

##### **6.1 A Proclamation Declaring September 2018 as Prostate Cancer Awareness Month (Mayor Thomas)**

*The Mayor read the proclamation and presented it to Richard Montgomery, a twenty-year prostate cancer survivor and peer navigator at UC Davis. Mr. Montgomery also conducts a support group in Cameron Park.*

#### **7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS**

##### **7.1 Written Communication**

*The City Manager noted written communication had been received from Sue Rodman.*

## **7.2 Oral Communication**

*Oral communication was received from Kelly Rogers regarding homelessness near his place of business. Sue Taylor also spoke regarding homelessness and public safety. Mack Storton addressed the City Council with concerns regarding drug problems in the Historic District. Jim Von Tellrop inquired as to the City's plan to pave Country Club Drive, and Terry Kayes shared concerns with CalTrans, specifically the Highway 50 Camino Safety Project.*

## **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 August 14, 2018 (Ms. O'Connell)**

*Approved the minutes of the regular City Council meeting of August 14, 2018.*

### **8.2 Approve the Accounts Payable Register (Mr. Warren)**

*Approved the Accounts Payable Register.*

### **8.3 Approve the Payroll Register (Mr. Warren)**

*Approved the Payroll Register.*

### **8.4 Adopt a Resolution Declaring the Vehicle Listed on the Attached Surplus Property List and Authorizing the Release of the Surplus Vehicle to Insurance Auto Auctions (Chief Ortega)**

#### **Resolution No. 8657**

*Adopted a resolution authorizing the auction of a surplus vehicle.*

### **8.5 Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with ComPsych for an Employee Assistance Program in the amount of \$1,950 (Mr. Warren)**

#### **Resolution No. 8658**

*Adopted a resolution authorizing the City Manager to negotiate and execute an agreement with ComPsych for an Employee Assistance Program in the amount of \$1,950.*

## **8.6 Acknowledge and File the Measure J Fund Financial Report for the Quarter Ended March 31, 2018 (Mr. Warren)**

*Acknowledged and filed the Measure J Fund Financial Report for the quarter ended March 31, 2018.*

*No public comment was received on the Consent Calendar. It was moved by Vice-Mayor Acuna 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, Clerici, Thomas  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

## **9. ITEMS PULLED FROM THE CONSENT CALENDAR**

*No items were pulled from the Consent Calendar.*

## **10. ORDINANCES**

*No ordinances were scheduled.*

## **11. PUBLIC HEARINGS**

- 11.1**
- 1. Approve Variance 18-01 to Allow for a Reduction in the Required Side Yard Setback from Ten (10) Feet to 1 ½ Feet for an Existing Carport at 948 Oak Terrace Road; and**
  - 2. Find that the Project is Categorically Exempt from the Requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 and 15305 of the State CEQA Guidelines (Mr. Rivas)**

*The Director of Development Services explained the item and responded to Council questions. Blair Will, representing applicant Jodi Krieger, addressed the City Council. Public comment was received from Kirk Smith and Michael Kirk. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Clerici that the City Council take the following actions:*

- 1. Approve Variance 18-01 to allow for a reduction in the required*

*side yard setback from ten (10) feet to 1 ½ feet for an existing carport at 948 Oak Terrace Road; and*

2. *Find that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 and 15305 of the State CEQA guidelines.*

*The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici, Thomas  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

## **12. DISCUSSION/ACTION ITEMS**

### **12.1 1. Review Draft Cannabis Business Regulation Ordinance and provide Direction to the Cannabis Subcommittee and Staff and; 2. Refer the proposed Cannabis Business Overlay Zone to the Planning Commission for review and recommendation (Mr. Morris)**

*The City Manager outlined revisions to the ordinance and responded to Council questions. Public comment was received from Rod Miller, Mac Chaudhry, and Sue Taylor. Mayor Thomas suggested language to clarify the prohibition of residential cultivation except as allowed by State law. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council refer the proposed Cannabis Business Overlay Zone to the Planning Commission for review and recommendation. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici  
 NOES: Thomas  
 ABSENT: None  
 ABSTAIN: None

### **12.2 Direct Staff on How to Proceed to Fill the Vacant City Council Seat due to the Resignation of Councilmember Wilkins (Mr. Morris)**

*The City Manager explained the item and, with assistance from the City Attorney, responded to Council questions. Public comment was received from Kirk Smith. Following Council discussion, it was moved by Mayor Thomas and seconded by Vice-Mayor Acuna to fill the vacant City Council seat by appointment, and to proceed by the schedule outlined in Staff's report. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Thomas

NOES: Clerici  
 ABSENT: None  
 ABSTAIN: None

### 12.3 Adopt a Resolution:

1. **Approving Program Supplement Agreement No. 018-N2 with the State of California Department of Transportation to Administering Agency-State Agreement No. 03-5015R which defines the terms of the State Senate Bill 1 (SB 1) Active Transportation Program (ATP) Augmentation funds for the Upper Broadway Bike Lanes Project (CIP #41508);**

2. **Approving Program Supplement Agreement No. 021-F with the State of California Department of Transportation to Administering Agency-State Agreement No. 03-5015F15 which defines the terms of the federal ATP funds for the Upper Broadway Bike Lanes Project (CIP #41508);**

3. **Approving Amendment #3 (Notice to Proceed No. 6) in an amount not-to-exceed \$30,554 to the consulting services agreement with R.E.Y. Engineers, Inc. for the Upper Broadway Bike Lanes and Pedestrian Connection Projects including \$15,277 for roadway improvements (CIP #415081) and \$15,277 for sewer line improvements (CIP #415084);**

4. **Authorizing the City Manager to execute the same; and**

5. **Approving a budget appropriation in the amount of \$100,000 from the Measure L Fund for sewer facility improvements for the said project (Mr. Rivas)**

### **Resolution No. 8659**

*The City Engineer summarized the item. Mayor Thomas shared a written comment submitted by Sue Rodman. No public comment was received on the item. It was then moved by Councilmember Clerici and seconded by Vice-Mayor Acuna that the City Council adopt a resolution for the following actions:*

1. *Approving Program Supplement Agreement No. 018-N2 with the State of California Department of Transportation to Administering Agency-State Agreement No. 03-5015R which defines the terms of the State Senate Bill 1 (SB 1) Active Transportation Program (ATP) Augmentation funds for the Upper Broadway Bike Lanes Project (CIP #41508);*

2. *Approving Program Supplement Agreement No. 021-F with the State of California Department of Transportation to Administering Agency-State Agreement No. 03-5015F15 which defines the terms of the federal ATP funds for the Upper Broadway Bike Lanes Project (CIP #41508);*

3. *Approving Amendment #3 (Notice to Proceed No. 6) in an amount not-to-exceed \$30,554 to the consulting services agreement with*

*R.E.Y. Engineers, Inc. for the Upper Broadway Bike Lanes and Pedestrian Connection Projects including \$15,277 for roadway improvements (CIP #415081) and \$15,277 for sewer line improvements (CIP #415084);*

*4. Authorizing the City Manager to execute the same; and*

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

*The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici, Thomas

NOES: None

ABSENT: None

ABSTAIN: None

#### **12.4 Adopt a Resolution:**

**1. Ratifying Task Order #1 with R.E.Y. Engineers, Inc. for design level survey services in an amount not to exceed \$24,886.38 for the Western Placerville Interchange Phase 2.2 Project (CIP #41918); and**

**2. Approving a \$25,000 budget appropriation in Traffic Impact Mitigation Fund unassigned fund balance for the said project (Mr. Rivas)**

#### **Resolution No. 8660**

*The City Engineer explained the item. No public comment was received. It was moved by Councilmember Borelli and seconded by Councilmember Clerici to adopt a resolution for the following actions:*

*1. Ratifying Task Order #1 with R.E.Y. Engineers, Inc. for design level survey services in an amount not to exceed \$24,886.38 for the Western Placerville Interchange Phase 2.2 Project (CIP #41918); and*

*2. Approving a \$25,000 budget appropriation in Traffic Impact Mitigation Fund unassigned fund balance for the said project*

*The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici, Thomas

NOES: None

ABSENT: None

ABSTAIN: None

#### **12.5 Adopt a Resolution:**

**1. Retroactively Approving a Memorandum of Understanding between the City and El Dorado County for El Dorado**

**County Sheriff's Office to Provide Dispatch Services for the Police Department for a not to exceed amount of \$71,506.92; and**

**2. Authorizing the Chief of Police and Police Commander to execute the same; and**

**3. Authorizing an Additional Police Officer Position on a Temporary Basis through December 31, 2018; and**

**4. Approving a \$50,464 Budget Appropriation from the General Fund Contingency for Unforeseen Expenditures and an \$18,534 Budget Appropriation from the Measure J Fund Unassigned Fund Balance (Mr. Morris)**

**Resolution No. 8661**

*The Chief of Police explained that due to a recent resignation of a police officer, items 3 and 4 of the staff report will be pulled, and will not require Council action. No public comment was received on the item. It was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli to adopt a resolution for the following actions:*

*1. Retroactively Approving a Memorandum of Understanding between the City and El Dorado County for El Dorado County Sheriff's Office to Provide Dispatch Services for the Police Department for a not to exceed amount of \$71,506.92; and*

*2. Authorizing the Chief of Police and Police Commander to execute the same*

*The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici, Thomas

NOES: None

ABSENT: None

ABSTAIN: None

**12.6 Approve and Direct Staff to Place Temporary Signage on Designated Streets during the Months of September through November to Address Traffic Concerns during the Apple Hill Season (Mr. Morris)**

*The City Manager presented the item and responded to Council questions. Public comment was received from Dolly Wager and Terry Kayes.*

*Following Council discussion, it was moved by Councilmember Clerici and seconded by Mayor Thomas that the City Council approve and direct Staff to place temporary signage on designated streets during the months of September through November to address traffic concerns during the Apple Hill season. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Clerici, Thomas

NOES: None



ABSENT: None

ABSTAIN: None

### **13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS**

- **El Dorado County Transit Authority**

*No meeting.*

- **El Dorado County Transportation Commission**

*No meeting.*

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

*Vice-Mayor Acuna said a LAFCO workshop will be held next month where all fire districts will be present to discuss consolidation and LAFCO's role in the process.*

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

*Councilmember Clerici plans to attend a meeting Thursday where wildfire issues will be discussed.*

- **Two by Two**

*No meeting.*

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

*No requests were made for future agenda items.*

### **15. CITY MANAGER AND STAFF REPORTS**

#### **15.1 Department Quarterly Reports (Mr. Morris)**

1. **Police Department**
2. **Finance Department**
3. **Community Services Department**
4. **Development Services Department**
5. **El Dorado County Fire District**

*This was an informational item only. No action was taken. It was suggested by the City Council to bring back quarterly reports twice a year, in October and March.*

### **16. UPCOMING ITEMS**

*Items tentatively scheduled for the next regularly scheduled City Council meeting of September 11, 2018 include: Sierra Tank Bypass Construction Award, Pacific*

*Street Contract, Conflict of Interest Code, Introduction of Cannabis Ordinance, Dismissal of Courthouse Blue Ribbon Committee, Measure J Report, and Bartle Wells CIC Study Agreement.*

**17. ADJOURNMENT @ 8:54 P.M.**

The next regularly scheduled Council meeting will be held on September 11, 2018, 5:30 P.M. Closed Session, 6:00 P.M. Regular Meeting.

Regina O'Connell, City Clerk