

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

June 28, 2016

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 P.M. CLOSED SESSION

Government Code §54956.8 - Conference with real property negotiators for:

Property: Leased Parking Area Adjacent to 581 Main St., Placerville, CA 95667
City of Placerville Negotiator: City Manager, M. Cleve Morris
Negotiating Parties: Mark Len
Terms of Lease and/or Sale of Property

Conference with Legal Counsel –Litigation

Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: one case

Government Code §54956.95 - Conference with Legal Counsel – Liability Claims

Claimant: Cary House

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:05 P.M. The Pledge of Allegiance to the Flag was recited.

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

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.05 *The Mayor presented flowers to Mary Meader in recognition for her recent achievement as the 2016 El Dorado Rose during Fair Week. Raelene Nunn, a member of the Rose Court was also recognized. Councilmember Acuna*

noted that the trophy presented to Ms. Meader by El Dorado Rose will be displayed at Gold Bug Park.

3.1 Presentation: El Dorado County Citizens for a University

Cherie Raffety, El Dorado County Treasurer and Tax Collector, gave a presentation regarding the mission of El Dorado County Citizens for a University and asked Council to consider adopting a resolution in support of their efforts to bring a four-year university to El Dorado County.

3.2 *The City Manager reminded the public and Council of the upcoming Main Street Celebration in honor of the completion of the Main Street Rehabilitation Project. He noted more information will become available later in the week.*

The City Manager also noted a cancellation of the July 26, 2016 City Council meeting and noted that a Public Safety Leadership Forum will take place at Town Hall on July 26 from 6:00 P.M. to 8:00 P.M.

3.3 *Councilmember Thomas acknowledged the Director of Community Services, Steve Youel, for his noticeable efforts in maintaining the City pool under the current budget constraints.*

3.4 *Councilmember Acuna requested and received an update from the Director of Community Services regarding the scoreboards at Lions Park. Councilmembers Acuna and Thomas expressed their appreciation to Western Sign Company and the El Dorado Community Foundation for their generous contribution to the scoreboards.*

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney stated that no reportable action had been taken in Closed Session.

5. ADOPTION OF AGENDA

Councilmember Acuna proposed that item 15.1 be moved after 7.2 and Mayor Wilkins proposed that item 12.5 be moved before 12.3. It was moved by Councilmember Acuna and seconded by Councilmember Thomas that the City Council adopt the agenda as modified. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

NOES:

ABSENT:

ABSTAIN:

6. CEREMONIAL MATTERS

No ceremonial matters took place.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communications

No written communication received.

7.2 Oral Communication

Steven (Kris) Payne commented on the need for road improvement to Placerville Drive in front of the Fairgrounds where the World Gold Panning Championships are scheduled to be held later this year. Councilmember Acuna suggested a combined effort by the City, County, and the Fair Board to contribute to the improvements.

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 June 14, 2016 (Ms. O'Connell)

Approved the Minutes of the regularly scheduled Council meeting of June 14, 2016.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 Approve the Payroll Register for Pay Period #25 (Mr. Warren)

Approved the Payroll Register.

8.4 Adopt a Resolution:

1. Approving a Contract Change Order #1 with George Reed, Inc. in the Amount of \$10,285.13 for the Broadway Crosswalks Improvements Project (CIP #41506); and

- 2. Authorizing the City Engineer to Execute a Notice of Completion and Instructing the City Clerk to Record said Notice with the El Dorado County Recorder's Office for the Broadway Crosswalks Improvements Project (CIP #41506); and**
- 3. Authorizing the Director of Finance to Release all Remaining Retention Being Held for Construction Security, no More than Thirty (30) Days after the Date of Notice of Completion Filing; and**
- 4. Approving a Budget Appropriation in the Amount of \$13,000 in Transportation Development Act Article 3 Funds to Cover Construction Contingency for Said Project; and**
- 5. Approving a Budget Appropriation in the Amount of \$3,185 from the Water Enterprise Fund Contingency for Unforeseen Expenditures for Waterline Improvements Encountered During Construction of Said Project (Mr. Rivas)**

Attachments: 1, 2, 3
Resolution No. 8427

Adopted a Resolution (1) Approving a Contract Change Order #1 with George Reed, Inc. in the Amount of \$10,285.13 for the Broadway Crosswalks Improvements Project (CIP #41506); and (2) Authorizing the City Engineer to Execute a Notice of Completion and Instructing the City Clerk to Record said Notice with the El Dorado County Recorder's Office for the Broadway Crosswalks Improvements Project (CIP #41506); and (3) Authorizing the Director of Finance to Release all Remaining Retention Being Held for Construction Security, no More than Thirty (30) Days after the Date of Notice of Completion Filing; and (4) Approving a Budget Appropriation in the Amount of \$13,000 in Transportation Development Act Article 3 Funds to Cover Construction Contingency for Said Project; and (5) Approving a Budget Appropriation in the Amount of \$3,185 from the Water Enterprise Fund Contingency for Unforeseen Expenditures for Waterline Improvements Encountered During Construction of Said Project.

- 8.5 Adopt a Resolution Accepting Grant Funding from the Marshall Foundation in the Amount of \$12,700 to be applied to the Purchase of Ten (10) Automated External Defibrillators (AED's) and approving a Budget Appropriation in the Amount of \$12,700 (Chief Heller)**

Resolution No. 8428

Adopted a Resolution accepting Grant Funding from the Marshall Foundation in the amount of \$12,700 to be applied to the purchase of ten (10) Automated External Defibrillators (AED's) and approving a Budget Appropriation in the amount of \$12,700.

- 8.6 Adopt a Resolution Authorizing the Director of Finance to Execute the Attached Certifications of Direct Charge wherein the City of Placerville Certifies that the Special Assessments that are Collected by the County of El Dorado Meet the Requirements of Proposition 218 and Authorizing the County Auditor-Controller to Place the City's Special Assessments on the Fiscal Year 2016/2017 Secured Tax Roll (Mr. Warren)**

**Attachment: 1
Resolution No. 8429**

Adopted a Resolution authorizing the Director of Finance to execute certifications of Direct Charge whereby the City of Placerville certifies that the Special Assessments that are collected by the County of El Dorado meet the requirements of Proposition 218 and authorize the County Auditor-Controller to place the City's Special Assessments on the Fiscal Year 2016/2017 Secured Tax Roll.

- 8.7 Adopt a Resolution:**
- 1. Declaring an Immediate End to the Drought State of Emergency; and**
 - 2. Declaring an Immediate End to the Mandatory Watering Restrictions; and**
 - 3. Directing Staff to Distribute a Notice Informing the Public of These Changes.**

Resolution No. 8430

Adopted a Resolution (1) Declaring an immediate end to the Drought State of Emergency; (2) Declaring an immediate end to the Mandatory Watering Restrictions; and (3) Directing Staff to distribute a Notice informing the Public of these changes.

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items pulled from the Consent Calendar.

10. ORDINANCES

No ordinances were scheduled.

11. PUBLIC HEARINGS

11.1 Adopt a Resolution Establishing the Appropriation Limit (Gann) for Fiscal Year 2015/2016 and Determining Compliance with Government Code Section 7910 (Mr. Warren)

Attachments: 1, 2 Resolution No. 8431

The Director of Finance reported on 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 Borelli that the City Council adopt a Resolution establishing the Appropriation Limit (Gann) for fiscal year 2015/2016 and determining compliance with Government Code Section 7910. The motion was passed by the following vote:

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

11.2 Adopt a Resolution Approving and Adopting the Proposed Fiscal Year 2016/2017 Operating Budget and Capital Improvement Program Budget as Presented (Mr. Warren)

Resolution No. 8432

The Director of Finance summarized the budget and responded to Council questions. Public comment was received from Kathi Lishman. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Borelli that the City Council adopt a resolution approving and adopting the fiscal year 2016/2017 Operating Budget and Capital Improvement Program Budget as presented. The motion was passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Receive Presentation from Placerville Downtown Association Regarding Community Promotions Grant for Event Signs, and Make a Recommendation regarding use of that Grant. Based on Council Recommendation, Direct Staff to Proceed with Distribution of the Remaining 2016 Community Promotions Funds (Mr. Morris)

Attachment: 1

The City Manager reported on the Community Promotions Grant. Lisa Crummett from the Placerville Downtown Association proposed a project for use of the funds. Public comment was received from Albert Fausel, Adam Anderson, Heidi Mayerhofer, Kirk Smith, Kris Payne, Sue Rodman, Bev Gegan, and Kathi Lishman. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Acuna that the City Council redirect the \$5,000 Community Promotions Grant previously awarded to the Placerville Downtown Association to replace the current freeway signs. The motion was passed by the following vote:

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

The City Manager requested direction from Council as to the distribution of the remaining \$2,500 in funds from the 2015/2016 budget. Public comment was received from Elizabeth (Lily) Valesco, Terry LeMoncheck, Sue Rodman, and Kathi Lishman. Vice-Mayor Clerici recognized Placerville resident and Vietnam War veteran, Gerald Posten, killed in action May 29, 1969. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Thomas to allocate the money to the El Dorado Arts Council, and have Staff come back with a plan to put the bell back up in the Monument Garden and complete remaining items for the memorial monument garden. The motion was passed by the following vote:

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

12.2 Adopt a Resolution Approving the Execution of a Lease Agreement between the City of Placerville and “SOL” Community Farmers Market allowing “SOL” Community Farmers Market to provide a Farmers Market on the City property known as the Fox Lot (Mr. Youel)

Resolution No. 8433

The Director of Community Services provided information to the Council regarding the proposed farmers market and agreement with SOL. Lily Valesco provided further information to Council and explained the goals and benefits of the market. Public comment was further received from Heidi Mayerhofer, Kirk Smith, Nicole Williams, Ben Hanson, A.J. Reyes, Jeff Chamberlain, Mark O'Connell, Wani Ocanas, and an additional unidentified speaker. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Mayor Wilkins that the City Council adopt a Resolution approving the execution of a Lease Agreement between the City of Placerville and "SOL" Community Farmer's Market allowing "SOL" Community Farmer's Market to provide a Farmer's Market on the City property known as the Fox Lot. The motion failed by the following vote:

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

Following further discussion by Council, it was then moved by Vice-Mayor Clerici and seconded by Councilmember Acuna that the City Council adopt the Resolution with the added provision that the term lease end mid-October, 2016, and that the City can terminate the agreement with 120 days' notice if public safety concerns arise. The motion was passed by the following vote:

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

12.3 Continued from May 10, 2016 City Council Regular Meeting: Adopt a Resolution approving the Update to the City of Placerville Development Guide (Mr. Rivas)

Attachment: A Development Guide Resolution No. 8434

The Director of Development Services provided an update to the Council regarding the final draft of the Development Guide. Councilmember Thomas requested a revision to Chapter 3 of the Guide (Part 2, Land Use)

and submitted proposed language for Council consideration. Public comment was received from Kirk Smith. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Acuna that the City Council adopt a Resolution approving the Update to the City of Placerville Development Guide and incorporate the proposed language suggested by Councilmember Thomas as well as remove the mention of Gingko trees as suggested by Councilmember Acuna. The motion was passed by the following vote:

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

12.4 Adopt a Resolution Proclaiming the Existence of a Local State of Emergency due to Drought Conditions and Bark Beetle Infestation Resulting in Pervasive Tree Mortality (Mr. Rivas)

Attachments: 1, 2, 3
Resolution No. 8435

The Director of Development Services summarized the issue. Public comment was received from Sue Rodman. The Vice-Mayor recognized Michael Ranalli, District Four Supervisor, for his efforts on the issue. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Borelli that the City Council adopt a Resolution proclaiming the existence of a local State of Emergency due to drought conditions and bark beetle infestation resulting in pervasive tree mortality. The motion was passed by the following vote:

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

12.5 Adopt the Following Resolutions:

(1) A Resolution Authorizing the City Manager to Execute an Agreement to Quitclaim Interests in Real Property;

Resolution No. 8436

(2) Two Resolutions to Vacate Excess Right of Way and Authorizing the Execution and Recording of Quitclaim Deeds from the City to Golden Pacific Bank, NA;

Resolution No. 8437

Resolution No. 8438

(3) A Resolution Accepting and Consenting to the Recording of a Quitclaim Deed from Golden Pacific Bank, NA to the City;

Resolution No. 8439

(4) A Resolution Accepting and Consenting to the Recording of a Quitclaim Deed from Scott L. Shinn to the City; and

Resolution No. 8440

(5) A Resolution Authorizing the City Manager to Accept and Consent to Deeds and Grants of Real Property to the City (Mr. Morris)

Resolution No. 8441

Attachment: 1

The City Attorney summarized the issue for Council. Public comment was received from Dick Rood. Following Council discussion, it was moved by Councilmember Acuna and seconded by Vice-Mayor Clerici that the City Council adopt the above resolutions (1) authorizing the City Manager to execute an agreement to Quitclaim Interests in Real Property; (2) two resolutions vacating excess right of way and authorizing the execution and recording of Quitclaim deeds from the City to Golden Pacific Bank; (3) accepting and consenting to the recording of a Quitclaim deed from Golden Pacific Bank to the City; (4) accepting and consenting to the recording of a Quitclaim deed from Scott L. Shinn to the city; and (5) authorizing the City Manager to accept and consent to deeds and grants of Real Property to the City. The motion was passed by the following vote:

AYES: Acuna, Borelli, Clerici, Thomas, Wilkins

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** – Councilmember Acuna noted a pending future item regarding a City annexation issue as well as another annexation item relating to a subdivision in El Dorado Hills.

- **SACOG** – Vice-Mayor Clerici noted a Mega-Region lunch meeting he would be attending.
- **SEDCorp.** – Councilmember Borelli stated she will be meeting with the City Manager regarding information to be presented at the next SEDCorp meeting.
- **Two by Two** – No Report

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

Resolution for El Dorado County Citizens for a University

15. CITY MANAGER AND STAFF REPORTS

Review of Wentworth Court Parking and Paving Issues (Mr. Rivas)

City Engineer, Rebecca Neves, gave an update on the condition of Wentworth Court and the current impediment of emergency access vehicles by parked cars. Public comment was received from Roger Phillipelli. The City Engineer responded to Council questions. No action was required on this item. It will be brought back and agendized for future Council consideration.

16. UPCOMING ITEMS

- Presentation by Staff for The Salvation Army
- Police Update on Commission on Accreditation for Law Enforcement Agencies (CALEA) Program
- Police Update on Strategic Plan
- Cancellation of July 26, 2016 City Council meeting

17. ADJOURNMENT at 10:20 P.M.

The next Regular Council meeting will be held on July 12, 2016, 5:30 P.M. Closed Session; 6:00 P.M. Regular Session.

CERTIFICATION OF AGENDA POSTING

I, Regina O'Connell, Interim City Clerk of the City of Placerville, declare that the foregoing Agenda for the June 28, 2016 Regular Meeting of the Placerville City Council was posted and available for review on June 24, 2016 at the City Hall of the City of Placerville, 3101 Center Street, Placerville, CA 95667.

The Agenda is also available on the City website at www.cityofplacerville.org

Attest: _____
Regina O'Connell, Interim City Clerk