

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

December 13, 2016

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 Legal Counsel – Liability Claims
(California Government Code Section 54956.95)

Claimant: Douglas E. Watts, Attorney for Gaie Cox
Agency claimed against: City of Placerville

- Item 2.** Public Employment Performance Evaluation: City Manager
(California Government Code Section 54957)

6:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 6:10 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

3.1 Brief Comments by City Council

Councilmember Thomas welcomed everyone in the house and wished them happy holidays.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported the Council, with all Councilmembers present, unanimously rejected the claim of Gaie Cox in Closed Session and stated no other reportable matters were discussed.

5. ADOPTION OF AGENDA

It was moved by Councilmember Acuna 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, Wilkins
NOES: None
ABSENT: None
ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Employee Service Recognition (Mr. Morris)

The following City employees were recognized for their combined 155 years of service to the City.

<u>Employee</u>	<u>Years of Service</u>	<u>Department</u>
Julie Burnsides	10	Community Services
Matt Lishman	10	Community Services
Andrew Litzius	10	Police
Brandy Silva	10	Police
Russell Fowler	15	Development Services
Andrew Painter	15	Development Services
George Spriggs	15	Administration
Ron Cannon	20	Police
Dan Yaroch	20	Development Services
Steve Youel	30	Community Services

6.2 Recognition of the Retirement of Cynthia Bryant, Senior Police Dispatcher/Records Technician

Commander Nida shared an overview of Ms. Bryant's career, including her many accomplishments over the past sixteen years with the Police Department and committed assistance to the citizens of Placerville. Ms.

Bryant was presented an award for her service. Council expressed their appreciation for her dedication to the Department and community.

6.3 A Proclamation of the City Council of the City of Placerville Acknowledging and Thanking Lisa Crummett for her Dedication to the City of Placerville and the Downtown Association (Mayor Wilkins)

The Mayor read the proclamation and presented it to Ms. Crummett. The Council conveyed their appreciation of Ms. Crummett's eighteen plus years of dedicated service working as the Marketing Director for the Placerville Downtown Association (PDA). Public comment was received from Kathi Lishman, Marian Washburn, and District 3 Supervisor Brian Veerkamp, who echoed thanks and gratitude for what Ms. Crummett has brought to the City (and County) in her time with the PDA.

6.4 A Proclamation of the City Council of the City of Placerville Recognizing the Boys & Girls Club El Dorado County Western Slope for their Contribution to the Children and Community of Placerville (Mayor Wilkins)

The Mayor read the proclamation and presented it to Boys & Girls Club CEO Sean McCartney who, accompanied by his two young daughters, shared his early vision of being able to one day walk through the front doors of the facility with his daughters. Mr. McCartney noted that 3.4 million dollars had been raised by the local community for the new facility and offered thanks to the Council for their support of the project. He also mentioned that the Club's annual Heroes Night fundraiser in January had been, for the first time, sold out. Public comment was received from District 3 Supervisor Brian Veerkamp who shared a story of support and included thanks to the Carters and Vicinis for their part in the accomplishment.

6.5 A Proclamation of the City Council of the City of Placerville Acknowledging and Thanking Sharon Scherzinger for her Dedication to Local Transportation Projects both in the City Limits and on the Western Slope of El Dorado County (Mayor Wilkins)

The Vice-Mayor read the proclamation and presented it to Ms. Scherzinger highlighting her accomplishment of working with the California Transportation Commission to preserve funds while keeping projects intact. Council shared sentiments of gratitude for the footprint she has left on the City and County, including having advocated for improvements in a time of shortcuts and transportation crises.

6.6 Acknowledge and file the Official Final Election Report of the November 8, 2016 General Election, dated December 6, 2016 (Ms. O'Connell)

The Elections Official explained the item. Council received and filed the Official Final Election Report of the November 8, 2016 General Election dated December 6, 2016.

6.7 Adoption of a Resolution Accepting the Certification of the Canvass of Ballots by El Dorado County Registrar of Voters for the November 8, 2016 Election (Ms. O’Connell)

Resolution No. 8477

The Elections Official explained the item. It was moved by Councilmember Thomas and seconded by Councilmember Borelli to adopt a resolution accepting the Certification of the Canvass of Ballots by El Dorado County Registrar of Voters for the November 8, 2016 Election. The motion was passed by the following vote:

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

As a result of this vote, Ordinance 1685 (Measure L) was adopted imposing a transactions and use (sales) tax to be administered by the State Board of Equalization.

6.8 Oath of Allegiance for Public Officers and Employees, as Required by Article 20, Section 3, California Constitution and Chapter 8, Division 4, Title I of the California Government Code (Ms. O’Connell)

The Elections Official invited newly elected Councilmember Acuna and reelected Councilmember Wilkins to join her on the dais where the Oath of Allegiance for Public Officers and Employees was administered. Following the Oath, the regular order of the agenda resumed.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communications

The City Manager stated he had intended to mention during Ceremonial Matters that a Certificate of Recognition from the State of California Senate had been presented to the City of Placerville in honor of the City’s service and dedication in organizing the 2016 Gold Panning World Championship.

7.2 Oral Communication

Kirk Smith addressed the Council regarding concerns of trespassing and theft.

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 November 22, 2016 (Ms. O'Connell)

Approved the Minutes of the Regular City Council Meeting of November 22, 2016.

8.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 Approve the Payroll Register for Pay Period 11 (Mr. Warren)

Approved the Payroll Register for Pay Period 11.

8.4 Cancellation of Regularly Scheduled City Council Meeting of December 27, 2016 (Ms. O'Connell)

Cancelled the regularly scheduled City Council meeting of December 27, 2016.

8.5 Adopt a Resolution:

- 1. Retroactively approving and affirming a salary schedule effective July 2, 2016; and**
- 2. Approving a \$5,778 budget appropriation from the General Fund Contingency for Unforeseen Expenditures; and**
- 3. Approving a \$677 budget appropriation from the Water Enterprise Fund Contingency for Unforeseen Expenditures; and**
- 4. Approving a \$2,204 budget appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures (Mr. Warren)**

Resolution No. 8478

Adopted a Resolution:

1. *Retroactively approving and affirming a salary schedule effective July 2, 2016; and*
2. *Approving a \$5,778 budget appropriation from the General Fund Contingency for Unforeseen Expenditures; and*
3. *Approving a \$677 budget appropriation from the Water Enterprise Fund Contingency for Unforeseen Expenditures; and*
4. *Approving a \$2,204 budget appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures*

It was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as presented. No public comment was received. The motion was passed by the following vote:

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

The Mayor called for a brief recess following the Consent Calendar.

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 Adopt a Resolution extending an urgency ordinance of the City of Placerville regulating cultivation and prohibiting the manufacture, processing, laboratory testing, labeling, storing, wholesale and retail distribution of nonmedical marijuana in the City of Placerville pursuant to Government Code Section 65858(a) (Mr. Driscoll)

Resolution No. 8479

The City Attorney explained the item. No public comment was received. It was moved by Councilmember Thomas and seconded by Vice-Mayor

Clerici to adopt a resolution extending an urgency ordinance of the City of Placerville regulating cultivation and prohibiting the manufacture, processing, laboratory testing, labeling, storing, wholesale and retail distribution of nonmedical marijuana in the City of Placerville pursuant to Government Code Section 65858(a). The motion was passed by the following vote:

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

11.2 Approve a General Plan Amendment; Zoning Map Amendment; amendments to the Placerville Heritage Homes Subdivision Planned Development (APN 323-400-20); and an Addendum to the Mitigated Negative Declaration to partially implement City's 2013-2021 Housing Element Program 3. High-Density Development – Unmet Need. First Reading. (Mr. Rivas)

Resolution No. 8480

The Director of Development Services explained the item and noted an item of support had been received from a property owner. No public comment was received. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Thomas to waive the first reading and approve a General Plan Amendment; Zoning Map Amendment; amendments to the Placerville Heritage Homes Subdivision Planned Development (APN 323-400-20); and an addendum to the Mitigated Negative Declaration to partially implement City's 2013-2021 Housing Element Program 3. High-Density Development – Unmet Need.

The motion passed by the following vote:

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

11.3 Consider an appeal by Wilbur Howe and Marilyn McCarthy of the Planning Commission's denial of a Variance Application (VAR 15-03) to remove the requirement for 2-inches asphalt surfacing of a parking lot; and appeal of Conditions of Approval Nos. 7 and 8 of Conditional Use Permit (CUP 15-03) and Site Plan Review (SPR 15-05) requiring asphalt surfacing required per City Code Section 10-4-4(D)1 and meeting minimum parking aisle width per City Code Section 10-4-4(C)4 respectively for said parking lot. Property is located at 618 Main Street (APN 004-011-37) (Mr. Rivas)

The City Manager stated he had been in discussion with Mr. Howe about some potential resolutions and asked the Council for approval to continue the item to a later date thereby allowing Mr. Howe more time to consider the information. No public comment was received. It was moved by Councilmember Acuna and seconded by Councilmember Thomas to continue the item to the regularly scheduled meeting of February 14, 2017. The motion passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Direct Staff on how to proceed with appointment of Measure L Committee Members (Mr. Morris)

The City Manager explained the request. Public comment was received from Sue Rodman, Mickey Kaiserman, Marian Washburn, Jackie Neau, Cindy Savage, and Kathi Lishman. Following Council discussion, Council directed Staff to bring back a proposal with the ability to expand the committee to offer new opportunities without impacting too much of Staff's time and include the current membership of the Measure H committee and their term expirations.

12.2 Adopt a Resolution approving Contract Change Order (CCO) #2 in the amount of \$26,161.80; CCO #3 in the amount of \$4,350.00; and CCO #4 for a credit in the amount of \$24,406.30 with Doug Veerkamp General Engineering, Inc. for the Western Placerville Interchange Phase 1B Project (CIP #41413)

Resolution No. 8481

The City Engineer summarized the item. No public comment was received. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli to adopt a resolution approving Contract Change Order (CCO) #2 in the amount of \$26,161.80; CCO #3 in the amount of \$4,350.00; and CCO #4 for a credit in the amount of \$24,406.30 with Doug Veerkamp General Engineering, Inc. for the Western Placerville Interchange Phase 1B Project. The motion was passed by the following vote:

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

ABSENT: None
ABSTAIN: None

12.3 Adopt a Resolution:

- 1. Approving Construction Contract Change Order Nos. 5, 6, 7, 8, 9 and 10 with McGuire and Hester for the Blairs Lane Bridge Replacement Project (CIP #40604), in the amount of \$93,513.70; and**
- 2. Authorizing staff to issue Notice to Proceed #3 to UNICO Engineering in an amount of \$90,600 to continue with Construction Management Services; and**
- 3. Approving a budget appropriation in an amount of \$90,600 from Silverado Village Placerville, LLC; and**
- 4. Approving a budget appropriation in the amount of \$75,000 from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures; and**
- 5. Approving a budget appropriation in the amount of \$48,000 from the General Fund Contingency for Unforeseen Expenditures for the said project (Mr. Rivas)**

Resolution No. 8482

The City Engineer summarized the item. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Vice-Mayor Clerici and seconded by Councilmember Thomas to adopt a resolution:

- 1. Approving Construction Contract Change Order Nos. 5, 6, 7, 8, 9 and 10 with McGuire and Hester for the Blairs Lane Bridge Replacement Project (CIP #40604), in the amount of \$93,513.70; and*
- 2. Authorizing staff to issue Notice to Proceed #3 to UNICO Engineering in an amount of \$90,600 to continue with Construction Management Services; and*
- 3. Approving a budget appropriation in an amount of \$90,600 from Silverado Village Placerville, LLC; and*
- 4. Approving a budget appropriation in the amount of \$75,000 from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures; and*
- 5. Approving a budget appropriation in the amount of \$48,000 from the General Fund Contingency for Unforeseen Expenditures for the said project*

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** – Vice-Mayor Clerici noted a few items from the Executive Director's report such as the Sustainable Agritourism Mobility Study and the efforts made to reduce traffic impacts on Carson Road. He mentioned the Connect Card, although in a trial stage, is now available to the public allowing riders to access all transit systems in the SACOG region. He also announced a meeting will be held Thursday at 5:30 PM at Camino Elementary School regarding the US. Highway 50 Safety Improvements in Camino project.
- **LAFCO** – No report.
- **SACOG** – Vice-Mayor Clerici stated a meeting will be held this Thursday as well as a retirement party for Mike McKeever. He also announced the annual SACOG Salutes will be presenting awards to two individuals from El Dorado County; Sharon Scherzinger for Employee of the Year; and Bob Smart for Citizen of the Year.
- **Two by Two** – No report.

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

Councilmember Thomas stated she had received photos regarding an abundance of concerning garbage along a walking trail past Schnell School and would forward to the City Manager and Chief of Police for review. She also requested clarification as to the location of the property referenced in Mr. Smith's public comment.

The Director of Development Services stated that he is aware of the disturbance at the location Mr. Smith was referencing and enforcement actions are in process.

15. CITY MANAGER AND STAFF REPORTS

15.1 Parking Program Update (Mr. Morris)

The City Manager updated Council on the progress of the parking program. He stated that during the Request for Proposals process, he learned that effective April 1, 2017, the citation processing company will no longer be processing for the City, and therefore, the issue has been added to the considerations of the parking program. Initial interviews have been completed and due to the issue of the termination of the citation processing in April, supplemental requests for additional information are being mailed out to the five applicants. He stated it is

his hope to be able to make a recommendation to Council at the regularly scheduled meeting of January 10, 2017. In addition to the Parking Committee having met, he also noted that the committee made a presentation to the Placerville Downtown Association for a new program that will increase the City's revenues and allow the parking program to move forward and pay for the new parking meters over time.

The Director of Community Services recognized Ron Thompson for voluntarily restoring and improving the City's benches.

The City Manager announced the resignation of Associate Civil Engineer, Katy Webster, and plans to recruit to fill the position. Council expressed that she will be missed and her dedication to the City was appreciated.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting on January 10, 2017, include: Appointment of Mayor and Vice-Mayor, Sidewalk Dining Ordinance, Broadway Sidewalk Engineering Contract, Broadway Plaza Street Frontage Improvement Agreement (SFIA), Western Placerville Interchange Phase II EID Waterline Agreement, Western Placerville Interchange Phase II Dokken Agreement, TIM Fee Collection Increase, 2016 Fire Code/Administration Citation Program Fees, Unified Confidential and Supervisory Employees (UCASE) Memorandum of Understanding (MOU), Investment Report, Parking Meters/Program, Second Reading Heritage Homes, NCCSIF Workers' Compensation Report, City Hall Capital Lease Financing, Baltic Lookout Tower

17. ADJOURNMENT at 8:20 P.M.

The next Regular Council meeting will be held on January 10, 2017, 5:30 P.M. Closed Session; 6:00 P.M. Regular Session.