

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting

**February 28, 2017**

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**

- Item 1.** Conference with Legal Counsel – Liability Claims  
(Government Code § 54956.95)  
Claimant: Erin Smoot  
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 6:00 P.M. and the Pledge of Allegiance to the Flag was recited.*

*Mayor Clerici gave a statement regarding Item 12.3 on the agenda and reminded those in attendance to adhere to the rules of order when speaking on the item.*

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

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

**3.1   Brief Comments by City Council**

*Councilmember Acuna stated he and Director of Community Services, Steve Youel, had met earlier in the day for a pre-construction walk-through of the Monument Garden project site. Mayor Clerici explained the purpose of the project is to honor the City's fallen soldiers of the Vietnam War.*

*Councilmember Borelli thanked City staff for their work throughout the City following the recent storms.*

**4. CLOSED SESSION REPORT – City Attorney Driscoll**

*The City Attorney reported that the claim of Erin Smoot, with all council members present, had been rejected.*

**5. ADOPTION OF AGENDA**

*Vice-Mayor Thomas requested Items 12.1 and 12.3 be pulled from the agenda and moved to adopt the agenda as modified. The motion was seconded by Councilmember Borelli. The motion was passed by the following vote:*

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

**6. CEREMONIAL MATTERS**

*No ceremonial matters were scheduled.*

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

**7.1 Written Communications**

*Mayor Clerici had stated that numerous items of written communication had been received regarding Item 12.3.*

**7.2 Oral Communication**

*Oral communication was received from the following individuals regarding California Senate Bill 54 relating to Sanctuary State status: Helen Mansfield, Sarah Pittenger, Peter Wolfe, Guadalupe Medrano, Pauline Grady, Steve Puthuff, Amanda Carillo, Dulce Soto, Karen Fujita, Tim Camuti, Sean Frame, Catherine Thornburg, David Zelinsky, Eric Necida, Dirk Dresen, Sue Rodman, Maggie Bush, Jamie Low, Fern Alexander, and Dara Presley. Comments on the subject were also received from Mayor Clerici, Vice-Mayor Thomas, Councilmember Acuna, and Councilmember Borelli.*

*Mayor Clerici called for a five-minute break following this item.*

**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 February 14, 2017 (Ms. O'Connell)**

*Approved the minutes of the regular City Council meeting of February 14, 2017.*

**8.1a Approve the Minutes of the Special Joint Meeting of the City Council, Recreation & Parks Commission, and Planning Commission of February 22, 2017 (Ms. O'Connell)**

*Approved the minutes of the Special Joint Meeting of the City Council, Recreation & Parks Commission, and Planning Commission of February 22, 2017.*

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

*Approved the Accounts Payable Register.*

**8.3 Approve the Payroll Register for Pay Period 16 (Mr. Warren)**

*Approved the Payroll Register for Pay Period 16.*

**8.4 Adopt a Resolution to Ratify Building Code Amendments to the 2016 California Fire Code as Adopted by the El Dorado County Fire Protection District (Mr. Rivas)**

**Resolution No. 8497**

*Adopted a resolution to ratify building code amendments to the 2016 California Fire Code as adopted by the El Dorado County Fire Protection District.*

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

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

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

*No items were pulled from the Consent Calendar.*

## **10. ORDINANCES**

### **10.1 Waive the second reading and adopt an Ordinance amending Title 9, Chapters 1, 3 & 4 of the Placerville Municipal Code related to Parking (Mr. Morris)**

#### **Ordinance No. 1688**

*The City Manager explained the item. Public comment was received from Sue Rodman and Dennis Thomas. Following Council discussion, it was moved by Vice-Mayor Thomas and seconded by Councilmember Wilkins that the City Council waive the Second Reading and adopt an ordinance amending Title 9, Chapters 1, 3 & 4 of the Placerville Municipal Code related to Parking. The motion was passed by the following vote:*

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

### **10.2 (1) Waive the Second Reading of an ordinance amending Title 10 Placerville Zoning Ordinance, Chapter 4 General Regulations adding Section 10-4-19 Sidewalk Dining Regulations to the City Code to allow and regulate outdoor sidewalk dining areas within the public right-of-way (File # ZC 2016-02); and (2) Adopt said Ordinance. (Mr. Rivas)**

#### **Ordinance No. 1689**

*The Director of Development Services explained the item. No public comment was received. It was moved by Councilmember Wilkins and seconded by Councilmember Borelli that the City Council take the following action:*

*(1) Waive the Second Reading of an ordinance amending Title 10 Placerville Zoning Ordinance, Chapter 4 General Regulations adding Section 10-4-19 Sidewalk Dining Regulations to the City Code to allow and regulate outdoor sidewalk dining areas within the public right-of-way (File # ZC 2016-02); and  
(2) Adopt said Ordinance.*

*The motion passed by the following vote:*

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

## **11. PUBLIC HEARINGS**

- 11.1 Consideration of 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 meet 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. ITEM REQUESTED TO BE CONTINUED TO MARCH 14, 2017 (Mr. Rivas)**

*No public comment was received. It was moved by Councilmember Acuna and seconded by Mayor Clerici that the City Council continue the item to the regularly scheduled City Council meeting of March 14, 2017. 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 Adopt a Resolution:**

- 1. Approving a Design and Construction Responsibility and Reimbursement Agreement with El Dorado Irrigation District (EID) in an amount of \$841,973.00 for design, construction, construction management, construction support, and full reimbursement of EID facilities as required as part of the Western Placerville Interchanges Phase 2 Project (CIP #407051); and**
- 2. Authorizing the City Manager to execute the same; and**
- 3. Approving a \$841,973 budget appropriation for the said agreement; and**
- 4. Approving Authorization No. 8 for design of EID water facilities as part of Phase 2 (CIP #407051) under the existing Consulting Services Agreement with Dokken Engineering in an amount not to exceed \$61,973 (Mr. Rivas)**

*This item was pulled from the Agenda during adoption of the agenda, Item 5.*

- 12.2 Adopt a Resolution of Intention (ROI 17-01) to initiate amendments to Title 10 (Zoning Ordinance) of the City Code regarding regulations of accessory (secondary) dwelling units within the City**

**that are necessary to be consistent with state statutes adopted in 2016 (Mr. Rivas)**

**Resolution No. 8498**

*The Director of Development Services explained the item. No public comment was received. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Acuna that the City Council adopt a Resolution of Intention (ROI 17-01) to initiate amendments to Title 10 (Zoning Ordinance) of the City Code regarding regulations of accessory (secondary) dwelling units within the City that are necessary to be consistent with state statutes adopted in 2016.*

*The motion was passed by the following vote:*

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

**12.3 Consider a Resolution of opposition to California Senate Bill 54 relating to Sanctuary State status (Mr. Morris)**

*This item was pulled from the Agenda during adoption of the agenda, Item 5.*

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

- **El Dorado County Transit Authority** – Councilmember Wilkins stated that the next meeting is scheduled for Thursday, March 2<sup>nd</sup>.
- **El Dorado County Transportation Commission** – Vice-Mayor Thomas stated that the next meeting is scheduled for Thursday, March 2<sup>nd</sup>.
- **LAFCO** – No report.
- **SACOG** – Mayor Clerici stated the Board received a report on Assembly Bill-1 and Senate Bill-1 at the last meeting.
- **SEDCorp.** – Councilmember Borelli reported she had chaired the meeting of February 27, 2017, and one remaining meeting is scheduled where a dissolution process for SEDCorp will be discussed.
- **Two by Two** – No report.

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

*No requests for future agenda items were made.*

**15. CITY MANAGER AND STAFF REPORTS**

*No City Manager and Staff Reports were presented.*

**16. UPCOMING ITEMS**

*Items tentatively scheduled for the next regularly scheduled City Council meeting on March 14, 2017, include: Mid-year Budget, Destruction of Records (Police Dept.), Broadway Sidewalks Contract Award, Blairs Contract Change Order, Western Placerville Interchange Phase IB Closeout, Capital Improvement Project (CIP) Placerville Drive.*

*Vice-Mayor Thomas noted she will not be in attendance at the regularly scheduled City Council meeting of March 14, 2017.*

**17. ADJOURNMENT at 7:45 P.M.**

The next Regular Council meeting will be held on March 14, 2017, 5:30 P.M. Closed Session; 6:00 P.M. Regular Session.