

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

March 28, 2017

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

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 PM and 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 Acuna announced that the Baltic Tower had recently been purchased by Leoni Meadows and is anticipated to be reassembled. He thanked the Director of Community Services and the Recreation and Parks staff for their involvement in the process.

Vice-Mayor Thomas thanked Jackie Neau and the volunteers who worked to clean up the City's walking trail. She commended Councilmember Acuna; City Manager, Cleve Morris; Interim Chief of Police, Dan Drummond; and Director of Community Services, Steve Youel, for helping facilitate the project.

Vice-Mayor Thomas also announced the City's 2nd Annual Rise & Shine community day of service event scheduled to take place Saturday, April 29th.

Councilmember Wilkins stated later in the meeting that she will not be able to participate in the Rise & Shine event as she is planning to attend Cap-to-Cap 2017.

4. Intentionally left blank

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 Proclamation of the City Council of the City of Placerville Declaring April 2017 as Sexual Assault Awareness Month (Mayor Clerici)

The Mayor read the proclamation and presented it to Kym Andrews-Cardoza and Matt Boyer of The Center for Violence-Free Relationships. Kym Andrews-Cardoza explained the purpose of the proclamation and Matt Boyer presented a pair of red high-heels to Mayor Clerici for use in the upcoming 15th Annual Walk a Mile in Her Shoes fundraiser and awareness event on Placerville's Historic Main Street, Saturday, May 13th.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

7.1 Written Communication

The City Manager noted that a few items of written communication had been received regarding Item 11.1.

7.2 Oral Communication

Oral communication was received from Michelle Vien in regards to Item 12.2 on the Agenda, who later addressed the Council regarding the closure of Blairs Lane.

Kathi Lishman also addressed the Council with gratitude for the money raised to support the Veterans' Monument Garden 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 March 14, 2017 (Ms. O'Connell)

Approved the Minutes of the regular City Council meeting of March 14, 2017.

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 Approving an Amendment to the Agreement with Banner Parking Service for Parking Enforcement Services (Mr. Morris)

Resolution No. 8505

Adopted a Resolution approving an amendment to the agreement with Banner Parking Service for Parking Enforcement Services.

It was moved by Councilmember 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, Wilkins
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 this evening.

11. PUBLIC HEARINGS

11.1 1.) Deny an Appeal by Wilbur Howe and Marilyn McCarthy of the Planning Commission's Denial of a Variance Application (VAR

2015-03) 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 2015-03) and Site Plan Review (SPR 2015-05) 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) (This item was continued from the March 14, 2017 regular Council Meeting); and

2.) Approve Revised Conditions of Approval for the Site to Allow for a Loading Zone (Berth) on the Site Attachment 1 (Mr. Rivas)

The Director of Development Services summarized the item. Sue Taylor addressed the Council, reading aloud a letter she had written (a copy was presented to the City Clerk). Public comment was received from Evelyn Veerkamp, Jackie Neau, Sue Rodman, Fran DuChamp, Jeff Leddy, Cindy Savage, Steve Calfee, Marian Washburn, Wilbur Howe, Ernesto Perez, Kirk Smith, and Kathi Lishman. Following Council discussion, it was moved by Councilmember Acuna and seconded by Vice-Mayor Thomas that the City Council take the following action:

- 1. Deny the appeal by Wilbur Howe and Marilyn McCarthy of the Planning Commission's denial of a Variance Application (VAR 2015-03) 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 2015-03) and Site Plan Review (SPR 2015-05) requiring asphalt surfacing required per City Code Section 10-4-4(D)1, upholding the decision of the Planning Commission;*
- 2. Uphold the approval of Condition Use Permit (CUP 2015-03) by the Planning Commission subject to the revised Conditions of Approval allowing for a loading berth as shown in Attachment 1; and*
- 3. Uphold the approval of Site Plan Review (SPR 2015-05) by the Planning Commission subject to the revised Conditions of Approval as shown in Attachment 1.*

The motion was passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution Approving an Agreement with Johnson Controls Incorporated, for Energy Efficiency Projects and Direct Staff to

**Return to the Council on April 25, 2017 with a Financing Workshop
(Mr. Morris)**

Resolution No. 8506

Mayor Clerici requested this item be moved to follow Item 12.2.

The City Manager summarized the item and stated that the presentation received at the earlier workshop was televised. Bryan Greenamy, Account Manager from Johnson Controls, Inc., gave an abbreviated presentation highlighting goals and objectives, benefits, and risk mitigation. The City Manager noted that the recommendation to Council had been amended to reflect Staff's request to return on a future date, with a resolution to approve an SRF (State Revolving Fund) loan application and delay holding a Financial Workshop where alternative funding options would be addressed. Public comment was received from Sue Rodman.

It was then moved by Vice-Mayor Thomas and seconded by Councilmember Wilkins that the City Council approve an agreement with Johnson Controls, Inc. for energy efficiency projects, to include HVAC replacement, and to direct Staff to pursue the SRF loan and incorporate into the record the materials and information provided from the workshop held just prior to tonight's meeting.

The motion was passed by the following vote:

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

12.2 Adopt a Resolution:

- 1.) Approving Construction Contract Change Order Nos. 11, 12, 13, 14, and 15 with McGuire and Hester for the Blairs Lane Bridge Replacement Project (CIP #40604) in the Amount of \$56,924.29; and**
- 2.) Approving Addendum No. 1 to UNICO Engineering in an Amount of \$106,583.93 for Continued Construction Management Services; and**
- 3.) Approving a Budget Appropriation from the Highway Bridge Program (HBP) in the Amount of \$219,891 for the Said Project (Mr. Rivas)**

Resolution No. 8507

Mayor Clerici requested this item precede Item 12.1.

The City Engineer explained the item and responded to Council questions. Public comment was received from Michelle Vien and Sue Rodman. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1.) Approving Construction Contract Change Order Nos. 11, 12, 13, 14, and 15 with McGuire and Hester for the Blairs Lane Bridge Replacement Project (CIP #40604) in the Amount of \$56,924.29; and*
- 2.) Approving Addendum No. 1 to UNICO Engineering in an Amount of \$106,583.93 for Continued Construction Management Services; and*
- 3.) Approving a Budget Appropriation from the Highway Bridge Program (HBP) in the Amount of \$219,891 for the Said 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 Contract Change Order (CCO) # 11 in the Total Amount of \$44,070.31 with Doug Veerkamp General Engineering (DVGE), Inc. for the Pardi Way/Big Cut Road/Sacramento Street Area Waterline Replacement Project - Waterline Replacement on Chamberlain Street and Sacramento Street (CIP #41109); and

2.) Approving a budget Appropriation in the Amount of \$38,000 from the Water Enterprise Fund Contingency for Unforeseen Expenditures for the Said Project (Mr. Rivas)

Resolution No. 8508

The City Engineer explained the item. Public comment was received from Sue Rodman. It was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a resolution for the following actions:

- 1.) Approving Contract Change Order (CCO) # 11 in the Total Amount of \$44,070.31 with Doug Veerkamp General Engineering (DVGE), Inc. for the Pardi Way/Big Cut Road/Sacramento Street Area Waterline Replacement Project - Waterline Replacement on Chamberlain Street and Sacramento Street (CIP #41109); and*

2.) *Approving a budget Appropriation in the Amount of \$38,000 from the Water Enterprise 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** – *No report.*
- **LAFCO** – *No report.*
- **SACOG** – *Mayor Clerici reported that the region’s upcoming bike share project is close to completion. He also stated that he had been invited to a Mayors meeting where the issue of the state reallocating water rights had been discussed. He expressed the importance of the City having representation on the County Water Board.*
- **SEDCorp.** – *Councilmember Borelli reported that one meeting still remains to discuss the group’s dissolution. She also mentioned that Kristin York, Director of Business Administration for the Sierra Business Council, would be meeting with the El Dorado County Chamber of Commerce on April 3rd, and had asked Ms. York if she would be available to give a presentation to the City Council at a future meeting.*
- **Two by Two** – *No report.*

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

No future agenda items were requested.

15. CITY MANAGER AND STAFF REPORTS

15.1 City Manager Storm Update (Mr. Morris)

The City Manager reported that, with help from the City’s Finance Director, Dave Warren, and the Public Works Operations Manager, Rick Ferriera, timely reports relating to the reimbursement for storm damages were submitted to the Federal Emergency Management Agency (FEMA) and the Office of Emergency Services (OES) for the first storm occurring on January 10, 2017, and that 94% recovery for damages is anticipated.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting of April 11, 2017, include: Unified Confidential and Supervisory Employees (UCASE) Memorandum of Understanding (MOU).

At this time, Mayor Clerici apologized for taking a point of personal preference in addressing statements made regarding item 11.1.

17. ADJOURN TO CLOSED SESSION @ 8:18 PM

CLOSED SESSION:

Item 1. Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)

Claimant: Kyle Hersom

Agency claimed against: City of Placerville

Item 2. Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)

Claimant: Michael Divittorio

Agency claimed against: City of Placerville

Item 3. Conference with Legal Counsel – Liability Claims
(Government Code § 54956.95)

Claimant: Kimberly Cramer

Agency claimed against: City of Placerville

18. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported that in closed session, with all members present except for Councilmember Wilkins, the claims of Hersom, Divittorio, and Cramer were unanimously rejected.

19. ADJOURNMENT @ 8:31 PM.

The next Regular Council meeting will be held on April 11, 2017, 5:30 P.M.
Closed Session; 6:00 P.M. Regular Session.

Regina O'Connell, City Clerk