

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

April 28, 2015

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

Govt. Code § 54956.9 Conference with Legal Counsel – Existing Litigation
Claimant – David Wang Crawford

Govt. Code § 54956.9 Conference with Legal Counsel – Existing Litigation
Claimant – Kayla Kriewitz

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. The Pledge of Allegiance to the Flag was recited.

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

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

Councilmember Wilkins read a report she had written on her experience as the City's representative at the Cap-to-Cap trip to Washington, D.C., earlier this month.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported that by a unanimous vote of all Councilmembers, the claim of David Wang Crawford was rejected.

The City Attorney also reported that, by a unanimous vote of all five Councilmembers, in the matter of the claim of Kayla Kriewitz, the claimant was denied a request to file a late claim.

5. ADOPTION OF AGENDA

It was moved by Vice-Mayor Patton and seconded by Councilmember Wilkins that the City Council adopt the Agenda as presented. The motion was passed by the following vote:

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

6. CEREMONIAL MATTERS – None Scheduled

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the Agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the Council from acting on items not listed on the Agenda except by special action of the City Council under specified circumstances.

7.1 Written Communications

The City Manager reported that the City Council had received a letter from Kirt West regarding Medical Marijuana Dispensaries.

7.2 Oral Communication

Kirt West addressed the Council regarding Medical Marijuana Dispensaries.

8. CONSENT CALENDAR

8.1 Minutes of the Regular City Council Meeting of April 14, 2015 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of April 14, 2015.

8.2 Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

8.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Adopt a Resolution Declaring Certain Laptop Computers and a Large Copier Machine as Surplus Property with Zero Value and Authorize the Director of Information Technology to Donate Said Items to Snowline Hospice for E-Waste Recycling (Mr. Spriggs)

Resolution No. 8299

Declared certain laptop computers and a large copier machine as surplus property with zero value, as listed on Attachment "A" to the staff report, and authorize the Director of Information Technology to donate said items to Snowline Hospice for e-waste recycling.

8.5 Adopt a Resolution of Intention (ROI 2015-03) to Initiate Amendments to Title 10 (Zoning Ordinance) of the Placerville Municipal Code to Allow for the Keeping and Regulation of Hen Chickens on Residentially Zoned Parcels (Mr. Rivas)

Pulled by Councilmember Clerici and renumbered as Item 9.1

It was moved by Vice-Mayor Patton and seconded by Councilmember Thomas that the City Council approve the Consent Calendar as modified. The motion was passed by the following vote:

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

9.1 Adopt a Resolution of Intention (ROI 2015-03) to Initiate Amendments to Title 10 (Zoning Ordinance) of the Placerville Municipal Code to Allow for the Keeping and Regulation of Hen Chickens on Residentially Zoned Parcels (Mr. Rivas)

Resolution No. 8300

Staff presented an overview of the issue and responded to Council questions. Public comment was received from Jackie Neau, Sue Burn, Raelene (no last name given), and Laura Fitzgerald. Following Council discussion, it was moved by Councilmember Wilkins and seconded by Councilmember Thomas that the City Council adopt a Resolution of Intention to initiate amendments to Title 10 (Zoning Ordinance) of the Placerville Municipal Code to allow for the keeping and regulation of hen chickens on residentially zoned parcels. The motion was passed by the following vote:

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

10. ORDINANCES

10.1 Waive the Second Reading of an Ordinance Amending Chapter 9, of Title VI of the Placerville Municipal Code Relating to the Sale of Unclaimed Property and Adopt Said Ordinance (Chief Heller)

Ordinance No. 1670

The Chief of Police summarized the unclaimed property issue and responded to Council questions. Following Council discussion, it was moved by Councilmember Thomas and seconded by Vice-Mayor Patton that the City Council take the following action:

- 1. Waive the Second Reading of an Ordinance amending Chapter 9, of Title VI of the Placerville Municipal Code relating to the sale of unclaimed property; and*
- 2. Adopt said Ordinance.*

The motion was passed by the following vote:

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

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Acknowledge and File the Basic Financial Statements and Independent Auditors' Report for Fiscal Year 2013/2014 (Mr. Warren)

The Director of Finance introduced Ken Pun, representing Pun & McGeady, LLP. Mr. Pun presented an overview of the Basic Financial Statements and the Independent Auditor's Report and responded to City Council questions. Public comment was received from Evelyn Veerkamp and Mickey Kaiserman. It was then moved by Councilmember Thomas and seconded by Councilmember Wilkins that the City Council acknowledge and file the Basic Financial Statements and Independent Auditors' Report for the Fiscal Year 2013/2014. The motion was passed by the following vote:

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

12.2 Adopt a Resolution Requesting that the California Public Employees Retirement System (CalPERS) Make an Exception to a Post-Retirement Employment Requirement (Government Code Sections 7522.56 and 21224) Stipulating that CalPERS Retirees Must Wait 180 Days Before Being Employed by Another CalPERS Employer (Mr. Youel)

Resolution No. 8301

The Director of Community Services summarized the issue and responded to Council questions. Following Council discussion, it was moved by Councilmember Clerici and seconded by Councilmember Thomas that the City Council adopt a Resolution requesting that the California Public Employees Retirement System (CalPERS) make an exception to a post-retirement employment requirement (Government Code § 7522.56 and 21224) stipulating that CalPERS retirees must wait 180 days before being employed by another CalPERS employer. The motion was passed by the following vote:

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- El Dorado County Transit Authority – Vice-Mayor Borelli & Councilmember Wilkins. Councilmember Wilkins reported on the ribbon cutting ceremony and 40th anniversary celebration at the El Dorado Transit offices.
- El Dorado County Transportation Commission – Mayor Borelli, Councilmember Clerici and Councilmember Thomas. No report.
- LAFCO – Councilmember Patton. No report.
- SACOG – Councilmember Clerici reported on the Metropolitan Transportation Plan (MTP) He also reported on a recent workshop he attended entitled, “Building Blocks of Great Historic Downtowns”.
- SEDCorp. – Mayor Borelli. No report. Mayor Borelli also attended the El Dorado Transit ribbon cutting, the ground breaking ceremonies for the Boys & Girls Club, the Walk a Mile in Her Shoes event, a Gold Bug Park Development Committee meeting, and the Stella Tracy Scholarship selection meeting.

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

Councilmember Clerici requested that staff bring back a staff report on the past Medical Marijuana Dispensary issue.

Vice-Mayor Patton requested that staff develop a calendar of all Council members’ meetings.

15. CITY MANAGER AND STAFF REPORTS

15.1 Report by the Director of Development Services on the Temporary Use Permit (TUP 2015-01) Issued to Mike Herzog Which Allowed a Wedding Ceremony at the Residence Located at 2711 Coloma Street on April 12, 2015 (Mr. Rivas)

The Director of Development Services gave an overview of the issue and responded to Council questions. Public comment was received from the owner of 2711 Coloma Street, Mike Herzog, and neighbor Michael Kirk.

15.2 Oral Report by the City Manager regarding Phase II of the Main Street Improvement Project

The City Manager gave a brief oral report on Phase II of the Main Street Improvement Project.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting on May 12, 2015 include: a Proclamation for Dennis Look, Investment Report, Measure J Report, Change Order for the Police Department re-roof project, redwood donation to El Dorado High School, a presentation on drought regulations by EID, and Main Street Phase II.

17. ADJOURNMENT at 7:55 P.M.

A Special Council meeting will be held on Tuesday, May 5, 2015 for the purpose of interviewing Planning Commission candidates. The meeting will take place at Town Hall in the Council Chamber, 549 Main Street, at 5:30 Closed Session, 6:00 P.M. Open Session.

The next Regular Council meeting will be held on May 12, 2015, 5:00 P.M. Closed Session; 6:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk