

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

July 8, 2014

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 CLOSED SESSION

Govt. Code § 54956.9 Conference with Legal Counsel – Threatened Litigation:
one case

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, Hagen, Patton, Thomas, Wilkins

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

No announcements were noted.

4. CLOSED SESSION REPORT – City Attorney Driscoll

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

5. ADOPTION OF AGENDA

Councilmember Thomas requested that the Discussion Items, 12.1 through 12.6 be re-ordered. It was then moved by Vice-Mayor Borelli and

seconded by Councilmember Patton that the City Council adopt the Agenda as modified. The motion was passed by the following vote:

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

6. CEREMONIAL MATTERS

6.1 A Proclamation Declaring August 5, 2014 As National Night Out in the City of Placerville

The Mayor read the Proclamation and presented it to this year's National Night Out event coordinators, Placerville Police Dispatchers Crystal Keith and Amber Robinson. Ms. Keith and Ms. Robinson thanked the Council and presented them with National Night Out T-Shirts to be worn at this year's event on August 5th.

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

No written communications were noted.

7.2 Oral Communication

Public comment was received from Jann Karr, Matt Huckabay, Mary Dohnke, and Rich (no last name given).

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 Minutes of the Regular City Council Meeting of June 24, 2014
(Ms. Zito)**

Approved the Minutes of the regularly scheduled Council meeting of June 24, 2014.

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 Approving a Service Contract with JDI Electrical Services, Inc. in the Amount of \$5,800 for Emergency Repairs to Electrical Main Switch Board #2 at the Hangtown Creek Water Reclamation Facility and Authorizing the City Engineer to Execute Same and Approving a \$7,800 Budget Appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures (Mr. Rivas)

Resolution No. 8222

Adopted a Resolution for the following action:

- 1. Approving a service contract with JDI Electrical Services, Inc. in the amount of \$5,800 for emergency repairs to Electrical Main Switch Board #2 at the Hangtown Creek Water Reclamation Facility and authorizing the City Engineer to execute same; and*
- 2. Approving a \$7,800 budget appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures.*

8.5 Adopt a Resolution Supporting the Principles of the North State Water Alliance (Mr. Morris)

Resolution No. 8223

Adopted a Resolution supporting the principles of the North State Water Alliance.

8.6 Adopt a Resolution Approving the Following Construction Change Orders with Doug Veerkamp General Engineering, Inc., for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and Authorizing the City Manager to Execute Same (Mr. Rivas)

Resolution No. 8224

Adopted a Resolution approving the following contract change orders with Doug Veerkamp General Engineering, Inc. for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and authorizing the City Manager to execute same:

1. *Contract Change Order #14, a no-cost change order for an increase of 41 working days to the project; and*
2. *Contract Change Order #31, an increase in the amount of \$1,500.00 for an additional rock lined ditch; and*
3. *Contract Change Order #32, an increase in the amount of \$19,982.00 for installation of jute netting in lieu of maintaining Type D erosion control and fiber rolls.*

8.7 Adopt a Resolution Authorizing the City Manager to Execute an Agreement Between Banner Parking Services and the City of Placerville to Provide Parking Enforcement Services in the City of Placerville (Mr. Morris)

Resolution No. 8225

Adopted a Resolution authorizing the City Manager to execute an agreement between Banner Parking Services and the City of Placerville to provide parking enforcement services in the City of Placerville.

8.8 Adopt a Resolution Approving a Service Contract for the 2014 Annual Street Striping Project to Traffic Limited in the Amount of \$29,997, and Authorizing the City Engineer to Execute Same (Mr. Rivas)

Resolution No. 8226

Adopted a Resolution approving a service contract for the 2014 annual street striping project to Traffic Limited in the amount of \$29,997.00 and authorize the City Engineer to execute same.

8.9 Direct Staff to Seek Proposals for Interim, Part-Time Staff Augmentation within the Engineering Division, Authorize the City Manager to Execute a Professional Services Agreement With the Selected Firm, and Return to the Council to Ratify Said Agreement (Mr. Rivas)

Directed staff to seek proposals for interim, part-time staff augmentation within the Engineering Division, authorizes the City Manager to execute a Professional Services Agreement with the selected firm, and return to the City Council to ratify said agreement.

8.10 Direct Staff to Seek Proposals for Interim, Part-Time Staff Augmentation for the Hangtown Creek Water Reclamation Facility, Authorize the City Manager to Execute a Professional Services Agreement with the Selected Firm, and Return to the Council to Ratify Said Agreement (Mr. Rivas)

Directed staff to seek proposals for interim, part-time staff augmentation for the Hangtown Creek Water Reclamation Facility, authorizes the City Manager to execute a Professional Services Agreement with the selected firm, and return to the Council to ratify said agreement.

8.11 Receive and File Report from HdL Companies Regarding Sales Tax Recovery (Mr. Morris)

This was an informational item only. The Council received and filed the report for calendar year 2013. The City Contracts with HdL Companies to monitor and recover where necessary, sales tax receipts.

8.12 Adopt a Resolution Approving an Agreement with Delaware.Net Inc., DBA Evo Government Websites for Website Design, Hosting and Maintenance (Mr. Morris)

Resolution No. 8227

Adopted a Resolution approving an agreement with Delaware.Net Inc., DBA Evo Government Websites for website Design, hosting, and maintenance.

8.13 Notification of the Media and Public, by Approval of this Request, that the Regularly Scheduled City Council Meeting of July 22, 2014 is cancelled (Ms. Zito)

Staff is directed to notify the media and public that the July 22, 2014 City Council meeting is cancelled.

Public comment was received from Sue Rodman regarding items 8.4, 8.7, and 8.9; Robyn Rawer commented on item 8.12; Kirk Smith commented on item 8.12. Following public comment, it was moved by Vice-Mayor Borelli and seconded by Councilmember Patton that the City Council approve the Consent Calendar as presented. The motion was passed by the following vote:

AYES: Borelli, Hagen, Patton, 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 – None Scheduled

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution Establishing November 4, 2014 as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to the Enactment of a One-Half of One Percent (0.5%) Transactions and Use (Sales) Tax for Ten Years, Establishing the Policies and Procedures for Such an Election, and Requesting that the County of El Dorado Conduct Such an Election (Mr. Morris)

Resolution No. 8228

The City Manager presented an overview of the Council's work over the last six months in workshops, and Council meetings and presented options for proceeding with a sales tax measure, deferring it to another election cycle, or to direct staff to discontinue further research on this item. Public comment was received from Kirk Smith, Alison Loeprich, Rich (no last name given), Steve Neau, Sue Taylor, Jeff England, Mike Drobesh, Breck Johnson, Kris Payne, Sue Rodman, Dave Machado, Laura Clark, Jackie Neau, Marsha Johnson, and David Price. Following Council discussion, Councilmember Thomas recommended amendments to the text of a Resolution adopting a policy for use of revenue generated by a sales tax measure, to include the following phrase, " it shall be the policy of the Placerville City Council that not less than 75% of the Measure money will be directed toward road improvements. The remaining 25% shall be directed to the improvement of roads and other public facilities including, but not limited to, upgrade and expansion of the City's Police Station and restoration of Old City Hall, as recommended by a citizen oversight committee". Following Council discussion, and clarification of the Council's ability to structure the method of recruiting and appointing the Citizen Oversight Committee, it was moved by Councilmember Thomas and seconded by Vice-Mayor Borelli that the City Council adopt a Resolution adopting a policy for the use of revenue as noted in Exhibit "F" of the staff report, with the amendments detailing the percentages and rewording as discussed by the City Council. The motion was passed by the following vote:

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

Resolution No. 8229

It was further moved by Councilmember Thomas and seconded by Vice-Mayor Borelli that the City Council adopt a Resolution establishing November 4, 2014 as the date for an election on a proposed ballot measure seeking voter approval relating to the enactment of a one-half of one percent (0.5%) General Transactions and Use (Sales) Tax for ten years, as noted in Exhibit "E", establishing the policies and procedures for such an election, and requesting that the County of El Dorado conduct such an election. The motion was passed by the following vote:

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

12.2 Receive and File a Report Ordered by the City Council Pursuant to California Elections Code §9212 to Determine the Impact on the City of Placerville of the Initiative Petition Which Would Amend the City's General Plan and Require the City to Adopt an Ordinance Prohibiting the Construction of Roundabouts, Traffic Circles, and Other Similar Traffic Features Anywhere Within the City of Placerville City Limits; and that Council Provide Direction Regarding the Initiative Measure (Mr. Driscoll)

The City Attorney summarized California Elections Code § 9212, related to a report that was ordered by the City Council to determine the impact on the City of Placerville of the Initiative Petition which would amend the City's General Plan and require the City to adopt an Ordinance prohibiting the construction of roundabouts, traffic circles, and other similar traffic features anywhere within the City of Placerville city limits without a majority vote of the electorate. Public comment was received from Kris Payne, Jackie Neau, Laurel Stroud, Mike Drobesh, Robyn Rawers, Sue Taylor, Marian Washburn, Fran Duchamp, Sue Rodman, Kirk Smith, Steve Neau and Evelyn Veerkamp. The City Attorney responded to several comments regarding the content of the report and noted that the report was meant to be general in nature, in response to the initiative which is general in nature, in requiring the elimination of all roundabouts or traffic circles within the City limits. It was then moved by Councilmember Patton and seconded by Councilmember Thomas that the City Council receive and file the report. The motion was passed by the following vote:

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

12.3 Consider Two Options to Eliminate a Roundabout as an Alternative for the Cedar Ravine/Main Street/Clay Street Realignment Project (Mr. Morris)

Resolution No. 8230

City Manager reviewed his report. Public comment was received from: Kris Payne, Robyn Rawers, Ben Parks, Kirk Smith, Jackie Neau, Steve Neau, Mary Dohnke, Michael Drobesh, Sue Taylor, Sue Rodman, Rich (no last name given), Evelyn Veerkamp, Marian Washburn, David Price, Fran Duchamp, Tim Taylor, and Laurel Stroud. Following Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Wilkins that the City Council adopt a Resolution eliminating a roundabout as an option for the Cedar Ravine/Main Street/Clay Street Realignment Project. The motion was passed by the following vote:

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

12.4 Consideration of a Request by Tim and Sue Taylor to Extend the Expiration Date of Encroachment Permit No. 13-28 for 301 & 305 Main Street (Herrick Building) From July 11, 2014 to August 31, 2014 (Mr. Rivas)

The Director of Development Services noted that staff continues to work with the Taylors on this renovation project and noted that the encroachment permit that is expiring in less than one week is encroaching on a public right of way and that the City has received phone calls and letters from merchants and residents regarding the length of time that the sidewalk and parking have been restricted due to this project. The Council complimented the Taylor's on the undertaking of this project and thanked staff for their work with the Taylor's to see this project to completion. Public comment was received from Tim Taylor, Stan Morris, Kirk Smith, Kris Payne, Laurel Stroud, Ben Parks, Mary Dohnke, Sue Rodman, Robyn Rawers, Rich (no last name given), Michael Kobus, Rod Pimental, David Price, Tim Costello, Steve Rouse, Mike Spiegel, and Sue Taylor. Following Council discussion, and a recommendation that the Taylor's be given a 60 day extension to their encroachment permit, it was moved by Councilmember Patton and seconded by

Councilmember Thomas that the City Council extend the expiration date of Encroachment Permit No. 13-28 for 301 & 305 Main Street (Herrick Building) to 60 days from July 11, 2014.

12.5 Review the Existing Council Policy Regarding Council Meeting Ending Time and Direct Staff to Either Bring Back Additional Options for Council Consideration, or Confirm the Existing Policy Approved by the City Council on February 12, 2014 (Ms. Zito)

Council requested this item be continued to the next meeting.

12.6 In Accordance with Elections Code Section 9215, Consider Options to Place the Initiative Eliminating Roundabouts and Similar Traffic Features on the November 4, 2014 Ballot, or to Adopt the Initiative Measure as an Ordinance (Mr. Morris)

Resolution No. 8231

Public comment was received from Kris Payne, Jackie Neau, Sue Taylor, Mike Drobesh, and Marian Washburn. It was then moved by Councilmember Patton and seconded by Vice-Mayor Borelli that in accordance with Elections Code Section 9215, the City Council places the initiative eliminating roundabouts and similar traffic features on the November 4, 2014 ballot. The motion was passed by the following vote:

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

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

No Council reports were given.

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

No items were noted.

15. CITY MANAGER AND STAFF REPORTS

No reports were noted.

16. UPCOMING ITEMS

The next regularly scheduled City Council meeting will be held August 12, 2014 and items for that Agenda will be developed closer to that meeting.

17. ADJOURNMENT at 11:20 P.M.

The July 22, 2014 City Council meeting has been cancelled.
The next Regular Council meeting will be held on August 12, 2014,
5:00 P.M. Closed Session; 6:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk