

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

April 8, 2014

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
No Closed Session
6:00 P.M. Open Session

NO CLOSED SESSION SCHEDULED

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.

2. ROLL CALL: Present: Borelli, Hagen, Patton, Thomas, Wilkins

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.1 Annual Fishing Derby at Lumsden Park on April 12th (Mr. Youel)

The Director of Community Services invited the public to the annual Fishing Derby at Lumsden Park and noted that event details are available on the City's website: www.cityofplacerville.org

4. CLOSED SESSION REPORT – City Attorney Driscoll

Closed Session was not held this evening.

5. ADOPTION OF AGENDA

It was moved by Councilmember Thomas and seconded by Councilmember Patton to adopt the Agenda as presented. The motion was passed by the following vote:

AYES: Borelli, Hagen, 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. The Mayor reserves the right to limit the speaker's time to three minutes.

7.1 Written Communications

The City Manager reported that a letter from the Community Resource Center regarding homeless services had been received earlier this day and copies had been distributed to the Council prior to the meeting.

7.2 Oral Communication

Public comment was received from Don Vanderkar, Fred Gates, Todd Parker, Dr. Mary Maaga, Chuck Wolfe, Evelyn Veerkamp, Bob Caruso, Eddie (last name unknown), Kathy Jurgens, Michelle Bonbright, Laura Clark, David Price, Joe Nichols, Shannon Adams, and Melissa Calvert.

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and are enacted by one motion by roll call vote unless any member of the Council wishes to remove an item for discussion.

8.1 Minutes of the Regular City Council Meeting of March 25, 2014 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of March 25, 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 Council Confirmation of Appointment of John Sellers to the Historical Advisory Committee and Direct Staff to Coordinate Committee Orientation (Ms. Zito)

Confirmed the appointment of John Sellers to the Historical Advisory Committee and directed staff to coordinate Committee Orientation.

8.5 Adopt a Resolution Authorizing the Director of Finance to Submit a Claim for Transportation Development Act (TDA) Article 3 (Pedestrian and Bicycle) Funding in the Amount of \$10,000 to the El Dorado County Transportation Commission for the Thompson Way Sidewalk Improvement Project (CIP#41103) (Mr. Warren)

Resolution No. 8186

Adopted a Resolution authorizing the Director of Finance to submit a claim for TDA Article 3 (Pedestrian and Bicycle) funding in the amount of \$10,000 to the El Dorado County Transportation Commission for the Thompson Way Sidewalk Improvement Project (CIP#41103).

8.6 Adopt a Resolution Approving Contract Change Orders for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and Authorizing the City Manager to Execute Same (Mr. Rivas)

Resolution No. 8187

Adopted a Resolution approving construction contract change orders for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and authorizing the City Manager to execute same. The Contract Change Orders are as follows:

1. *Contract Change Order (CCO) #11, an increase in the amount of \$7,200.00 for modification to Retaining Wall #1 weep hole drains; and*
2. *CCO #27, an increase in the amount of \$30,982.57 for wedge paving on Fair Lane, additional stormwater BMPs, additional drainage work on Fair Lane, guard rail extension, and a Saturday asphalt plant opening fee; and*
3. *Revised CCO #7, an increase in the amount of \$5,270 due to two typos on the original change order, bring the total amount of CCO#7 to \$39,157.80; and*
4. *Revised CCO #13, an increase in the amount of \$17,326.60 due to adjustment in asphalt quantity and one typo, bring the total amount of CCO #13 to a decrease of \$251,330.40*

8.7 Adopt a Resolution Authorizing the Mayor, City Manager, City Attorney, and the City's Labor Representative to Execute an Addendum and Side Letter to the 2012-2013 Memorandum of Understanding with the International Union of Operating Engineers, Stationery Engineers, Local 39 (Mr. Warren)

Resolution No. 8188

Adopted a Resolution authorizing the Mayor, City Manager, City Attorney, and the City's Labor Representative to execute an addendum and side letter to the 2012-2013 Memorandum of Understanding (MOU) with the International Union of Operating Engineers, Stationery Engineers, Local 39.

8.8 Adopt a Resolution Declaring the Water Line Failure on State Highway 49 Poses an Imminent Threat to the Environment, Public Health, Safety and Welfare, and Approving an Agreement with Doug Veerkamp General Engineering, Inc. to Construct the Emergency Water Line Repair at Highway 49 and Green Street (CIP #41415) , Authorizing the Director of Community Services to Execute Same and Approving a Budget Appropriation from the Water Enterprise Fund in the amount of \$26,592.00 (Mr. Youel)

Resolution No. 8189

Recommendation by the Director of Community Services that the City Council adopt a Resolution for the following action:

1. *Approving an agreement with Doug Veerkamp General Engineering, Inc. to construct the emergency water line repair at Highway 49 and Green Street (CIP #41415); and*
2. *Authorizing the Director of Community Services to execute same; and*
3. *Approving a budget appropriation from the Water Enterprise Fund in the amount of \$26,592.00*

Prior to approving the Consent Calendar, the City Attorney clarified that while the City Council could make an emergency finding regarding the Highway 49 water line failure, the provisions of the California Public Contract Code § 2250 (Emergency Provision for Waiving the Bidding Process) do not require the Council to make the emergency finding because the contract cost is too low to have the required solicitation of bids.

No public comments were received. It was then moved by Councilmember Thomas and seconded by Councilmember Borelli to 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. ORDINANCES – None Scheduled

10. PUBLIC HEARINGS – None Scheduled

11. DISCUSSION/ACTION ITEMS

11.1 Receive a Presentation on the Results of the Sales Tax Survey and Direct Staff to Proceed with Ballot Measure Preparations for the November 2014 Election (Mr. Morris)

Justin Wallin, Chief Operations Officer at Probolsky Research, presented a PowerPoint overview of the results of the telephone survey conducted by Probolsky Research regarding the proposed sales tax initiative. Public comment was received from Jackie Neau, David Price, Evelyn Veerkamp, and Kirk Smith. Mr. Wallin responded to City Council questions. Following Mr. Wallin's presentation, it was moved by Councilmember Thomas and seconded by Councilmember Borelli that the City Council approve staff recommendation #2, directing staff to provide further research into the option of a sales tax measure for the November 2014 election, including further research into a ½ cent general sales tax initiative, with a companion ballot measure, and a citizen oversight committee, and to explore sunset options, including no sunset on the sales tax. The motion was passed by the following vote:

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

11.2 Acknowledge and File the Basic Financial Statements and Independent Auditors' Report for Fiscal Year 2012/2013 (Mr. Warren)

Kenneth Pun, Principal of Pun & McGeady, CPA's, presented the Basic Financial Statements for the fiscal year ended June 30, 2013, and responded to Council questions. Following Council discussion, it was moved by Councilmember Patton and seconded by Councilmember Borelli to acknowledge and file the Basic Financial Statements and the Independent Auditors' Report for Fiscal Year 2012/2013. The motion was passed by the following vote:

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

11.3 Acknowledge and File a Report on the Transient Occupancy Tax Collected From Hotel and Motel Type Establishments Within the City Limits During Fiscal Year 2012/2013 and Direct Staff as Necessary (Mr. Warren)

The Director of Finance summarized the Transient Occupancy Tax report and responded to Council questions. The Director of

Development Services noted that long-term stays in local hotels/motels may constitute a residential use and would conflict with commercial zoning of a hotel/motel. Following Council discussion, it was moved by Councilmember Patton and seconded by Councilmember Thomas that the City Council acknowledge and file the report, and further to direct staff to research the 30+ and 90+ stays at local hotels/motels and report back to the Council at a future meeting. The motion was passed by the following vote:

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

12. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

- El Dorado County Transportation Commission – Vice-Mayor Borelli, Mayor Hagen, and Councilmember Thomas

Councilmember Thomas noted that CalTrans will shortly commence work on the Coloma Street Pedestrian Over-Crossing on Highway 50. Councilmember Borelli reported that the California Transportation Commission (CTC), had held a meeting in South Lake Tahoe recently and that she attended the meeting with Sharon Scherzinger, Executive Director of the El Dorado County Transportation Commission.

- SACOG – Mayor Hagen

Mayor Hagen reported that he had attended a Sacramento Area Council of Governments (SACOG) meeting regarding the 2035 Metropolitan Transportation Plan.

- SEDCorp. – Vice-Mayor Borelli

Vice-Mayor Borelli reported on a recent Sierra Economic Development Corporation (SEDCorp) meeting held in Citrus Heights and noted that the June SEDCorp meeting will be held in Placerville.

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

No items were noted.

14. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

15. CITY MANAGER AND STAFF REPORTS

15.1 Removal of Billboard East Highway 50 – Oral Report (Mr. Rivas)

The Director of Development Services reported that the billboard on the north side of Highway 50, east of Placerville, was legally permitted in 1976 under Conditional Use Permit 76-06, a building permit dated 12/2/1976, and a CalTrans permit dated 8/4/1982. The Outdoor Advertising Act allows for the placement of the sign, and removal would require an act of Eminent Domain, which would require monetary compensation to both the owners of the private property and the billboard company.

15.2 Neighborhood Chat – April 29, 2014 - Oral Report (Mr. Morris)

The City Manager suggested several format options and topics for the Neighborhood Chat. Following Council discussion and consensus, the topics of the ½ cent sales tax initiative and the Main Street paving project would be the two topics discussed.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting on April 22, 2014 include: a progress report on 301-305 Main Street, Western Placerville Interchange SEIR adoption, and Combellack Road widening.

17. ADJOURNMENT at 9:15 p.m.

The next Regular Council meeting will be held on April 22, 2014, 5:00 P.M. Closed Session; 6:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk