

MINUTES

PLACERVILLE CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 25, 2024

CLOSED SESSION: 4:30 PM

OPEN SESSION: 5:00 PM

CITY COUNCIL CHAMBERS – TOWN HALL
549 MAIN STREET, PLACERVILLE, CA 95667

4:30 P.M. CLOSED SESSION

Item 1: Conference with Legal Counsel – Existing Litigation

Government Code § 54956.9

State of California et al. v. The Kroger Company and Albertsons Company (Case No. 3:24-cv-00347)

Item 2: Conference with Legal Counsel - Existing Litigation

Government Code § 54956.9(d)(1)

CDPH v. El Dorado County, City of Placerville, et al., (Case No. 24CV0463)

5:00 P.M. OPEN SESSION

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor called the meeting to order at 5:00 p.m. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Clerici, Gotberg, Neau, Saragosa, Yarbrough

3. CEREMONIAL MATTERS

No ceremonial matters were scheduled.

4. CLOSED SESSION REPORT – City Attorney Ebrahimi

The City Attorney provided background information on Item 1 (State of California v. The Kroger Company and Albertsons Company). The City Council unanimously approved Item 1 and provided direction to staff for Item 2. No public comment was received in advance of Closed Session.

5. ADOPTION OF AGENDA

It was moved by Councilmember Saragosa and seconded by Councilmember Gotberg that the City Council adopt the agenda as presented. The motion passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

6. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

6.1 Brief Comments by the City Council

The City Council made brief comments.

6.2 Receive and File Presentation by El Dorado Disposal Outlining their Performance for the 2023-2024 Fiscal Year

Christopher Brown, District Manager of El Dorado Disposal, presented the performance overview and answered questions from the City Council and the public. Public comment was received from Ruth Michelson, Sue Rodman, Marcie Amessa, and Hillary Mulligan. The presentation was received and filed.

7. 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.

7.1 Approve the Minutes of the Regular City Council Meeting of June 11, 2024 (Ms. O'Connell)

Approved the Minutes of the regularly scheduled City Council meeting of June 11, 2024.

7.2 Approve the Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

7.3 Approve the Payroll Register (Mr. Warren)

Approved the Payroll Register.

7.4 Receive and File Public Records Requests (Ms. O'Connell)

Received and filed public records requests.

- 7.5 Consider Approving the Fiscal Year 2024/2025 Road Maintenance and Rehabilitation Account Project List Totaling \$276,679 and Directing Staff to Submit said List to the California Transportation Commission as Presented in Attachment “A.” (Mr. Stone)**

Resolution No. 9328

Approved the Fiscal Year 2024/2025 Road Maintenance and Rehabilitation Account Project List totaling \$276,679 and directed staff to submit said list to the California Transportation Commission as presented in Attachment “A.”

- 7.6 Consider Approving a Construction Contract with ERS Industrial Services, Inc., in the amount of \$167,750.00 for the Secondary Clarifier No. 1 Protective Coating (CIP#42413) and Authorizing the City Manager to Execute the Same, Approving a \$60,000 Budget Appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures for the said Project, and Finding the Project is Exempt from CEQA Pursuant to CEQA Guidelines Section 15301(d). (Ms. McConnell)**

Resolution No. 9329

Approved a Construction Contract with ERS Industrial Services, Inc., in the amount of \$167,750.00 for the Secondary Clarifier No. 1 Protective Coating (CIP#42413) and authorized the City Manager to execute the same, approved a \$60,000 budget appropriation from the Sewer Enterprise Fund Contingency for Unforeseen Expenditures for the said project, and found the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301(d).

- 7.7 Consider Approving Amendment No. 6 and Notice to Proceed No. 6 to the Consulting Services Agreement with Dewberry Engineers Inc., an Agreement with El Dorado Irrigation District for Water Line Relocation Design Services, and a Budget Appropriation all in the amount of \$125,048 for the Placerville Drive at Hangtown Creek Bridge Replacement Project (CIP #41410) (Ms. McConnell)**

Resolution No. 9330

Approved Amendment No. 6 and Notice to Proceed No. 6 to the Consulting Services Agreement with Dewberry Engineers Inc., an agreement with El Dorado Irrigation District for water line relocation design services, and a budget appropriation all in the amount of \$125,048 for the Placerville Drive at Hangtown Creek Bridge Replacement Project (CIP #41410).

- 7.8 Consider Approving an Agreement with the El Dorado County Transportation Commission for Fiscal Year 2023/2024 Surface Transportation Block Grant Program Exchange Funds for the Smith**

Flat Road Storm Drain and Paving Project (CIP #42213) and the US 50 Trip to Green Congestion Management and Resiliency Strategy Project (CIP #42502) and Authorizing the City Manager to Execute the Same (Mr. Warren)

Resolution No. 9331

Approved an agreement with the El Dorado County Transportation Commission for Fiscal Year 2023/2024 Surface Transportation Block Grant Program Exchange Funds for the Smith Flat Road Storm Drain and Paving Project (CIP #42213) and the US 50 Trip to Green Congestion Management and Resiliency Strategy Project (CIP #42502) and authorized the City Manager to execute the same.

7.9 Consider Adopting a Resolution for the Following Actions:

- 1. Consolidating the November 5, 2024 City Council Election with El Dorado County; and**
- 2. Authorizing and Directing the Registrar of Voters, at the City's Expense, to Provide all Necessary Services, which shall include but not be limited to: Publications, Ballots, Sample Ballots, Election Officers, Polling Places, and Canvass; and**
- 3. In the Event of a Tie Vote, the Winning Candidate shall be Decided by Lot. (Ms. O'Connell)**

Resolution No. 9332

Adopted a resolution consolidating the November 5, 2024 City Council Election with El Dorado County; authorizing and directing the Registrar of Voters, at the City's expense, to provide all necessary services; and in the event of a tie vote, the winning candidate shall be decided by lot.

7.10 Consider Ratifying Construction Contract Change Orders No. 2 through 4 and Approving Contract Change Order No. 5 and No. 6 with Doug Veerkamp General Engineering, Inc. in the total amount of -\$209,175.37 for the Broadway Maintenance Project (CIP #42003) (Ms. McConnell)

Resolution No. 9333

Ratified Construction Contract Change Orders No. 2 through 4 and approved Contract Change Order No. 5 and No. 6 with Doug Veerkamp General Engineering, Inc. in the total amount of -\$209,175.37 for the Broadway Maintenance Project (CIP #42003).

7.11 Consider Approving a Construction Contract with the Chrisp Company for the Annual Street Striping and Signage Maintenance-Various Locations Project (CIP #42322) in the amount of \$140,306.30, Authorizing the City Manager to Execute the Same,

and Approving a \$50,000 Budget Appropriation from the Measure L Fund for the said Project (Mr. Stone)

Resolution No. 9334

Approved a Construction Contract with the Chrisp Company for the Annual Street Striping and Signage Maintenance-Various Locations Project (CIP #42322) in the amount of \$140,306.30, authorized the City Manager to execute the same, and approved a \$50,000 Budget Appropriation from the Measure L Fund for the said project.

No public comment was received. It was moved by Vice-Mayor Clerici that the City Council approve the Consent Calendar as presented. The motion was seconded by Councilmember Yarbrough and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

8. PUBLIC COMMENT – NON-AGENDA ITEMS

8.1 Oral Communication

Oral communication was received from Sue Rodman, Ruth Michelson, and Leo Bennett-Cauchon.

8.2 Written Communication

No written communication was received.

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the consent calendar.

10. ORDINANCES

No ordinances were scheduled.

11. PUBLIC HEARINGS

11.1 Consider Adopting the Proposed Fiscal Year 2024/2025 Operating Budget and Capital Improvement Program Budget as Presented (Mr. Warren)

Resolution No. 9335

The Assistant City Manager/Director of Finance presented the budgets. Public comment was received from Leo Bennett-Cauchon and Sue Rodman. Following Council discussion, it was moved by Councilmember Saragosa that the City Council adopt the proposed Fiscal Year 2024/2025 Operating Budget and Capital Improvement Program Budget as presented. The motion was seconded by Vice-Mayor Clerici and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

11.2 Consider Establishing the Appropriation Limit (Gann) for Fiscal Year 2023/2024 and Determining Compliance with Government Code Section 7910 (Mr. Warren)

Resolution No. 9336

The Assistant City Manager/Director of Finance presented the item. No public comment was received. It was moved by Councilmember Yarbrough that the City Council establish the Appropriation Limit (Gann) for Fiscal Year 2023/2024 and determine compliance with Government Code Section 7910. The motion was seconded by Vice-Mayor Clerici and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

12. DISCUSSION/ACTION ITEMS

12.1 Consider Approving Construction Contract Change Order (CCO) No. 9 and Ratifying CCOs Nos. 6, 7, 8, 10, 11, 12, and 13 with Doug Veerkamp General Engineering, Inc. in the total combined amount of \$120,802.82 for the Broadway Sidewalks Project (CIP #41606) and Authorizing the City Manager to Execute the Same (CIP #41606) (Ms. McConnell)

Resolution No. 9337

The City Engineer summarized the item. Public comment was received from Sue Rodman. Following brief discussion, it was moved by Vice-Mayor Clerici that the City Council approve Construction Contract Change Order (CCO) No. 9 and ratify CCOs Nos. 6, 7, 8, 10, 11, 12, and 13 with Doug Veerkamp General Engineering, Inc. in the total combined amount of \$120,802.82 for the Broadway Sidewalks Project (CIP #41606) and authorizing the City Manager to execute the same (CIP #41606). The

motion was seconded by Councilmember Gotberg and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
NOES: None
ABSENT: None
ABSTAIN: None

13. COUNCIL REPORTS FROM OTHER AGENCY MEETINGS

The City Council reported on recent and upcoming meetings of various external bodies. No public comment was received.

- **El Dorado County Transit Authority**
(Mayor Neau, Councilmember Yarbrough)
- **El Dorado County Transportation Commission**
(Mayor Neau, Vice-Mayor Clerici, Councilmember Yarbrough)
- **LAFCO (El Dorado Local Agency Formation Commission)**
(Councilmember Gotberg)
- **SACOG (Sacramento Area Council of Governments)**
(Councilmember Saragosa)
- **Pioneer Community Energy Board of Directors**
(Councilmember Yarbrough)
- **Placerville Fire Safe Council**
(Mayor Neau)
- **Opportunity Knocks/Continuum of Care**
(Councilmember Gotberg)

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

15.1 Receive and File May Fire Station 25 Run Report (Chief Cordero)

No public comment was received. The item was received and filed.

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: National Night Out Proclamation, July 23, 2024 City Council Meeting Cancellation, Zoning

Ordinance - Entertainment/Retail Centers, Zoning Ordinance - Day Care Homes, Sam Emerson Contract for 3113 Clark St., Youth Basketball Fee Increase, New Salary Schedule, Placerville Police Officers Association Memorandum of Understanding, Traffic Impact Mitigation Fee Financial Report, Measure J Report, Investment Report, Public Works Vehicle Purchases, Bee Street: Ratify Contract Change Order 2 and Notice of Completion, RBI MS4 Permit Services Agreement, Police, Fire, and Development Services Stats for June, 2024.

17. ADJOURNMENT @ 6:04 p.m.

The next regularly scheduled City Council meeting will be held on July 9, 2024, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting.

Regina O'Connell, CPMC, City Clerk