

MINUTES

PLACERVILLE CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 28, 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

Gov. Code § 54956.9(d)(1)

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

Item 2: Conference with Legal Counsel – Liability Claims

Government Code §54956.95

Claimant Name: Jesus Lopez

Agency claimed against: City of Placerville

5:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 5:08 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 Manager reported that the City Council provided direction to staff regarding the two closed session items.

5. **ADOPTION OF AGENDA**

It was moved by Councilmember Saragosa that the City Council move Item 12.3 to precede Item 12.2 and adopt the agenda as modified. The motion was seconded by Councilmember Yarbrough and passed by the following 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 Mayor made brief comments.

6.2 Presentation by the El Dorado County Chamber of Commerce on Services Programs Provided that Impact the City (Mr. Morris)

Public comment was received from Ruth Michelson. 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 May 14, 2024 (Ms. O'Connell)

Approved the Minutes of the regular City Council meeting of May 14, 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 Approval of a Credit Transfer Agreement with the National Fish and Wildlife Foundation for Payment of an In-lieu Fee in the Amount of \$300,160 to Satisfy Mitigation Required for the Western Placerville Interchange, Phase 2 project (CIP #41828) and Authorizing the City Manager to Execute the Same (Ms. McConnell)

Resolution No. 9313

Approved a Credit Transfer Agreement with the National Fish and Wildlife Foundation for payment of an in-lieu fee in the amount of \$300,160 to satisfy mitigation required for the Western Placerville Interchange, Phase 2 project (CIP #41828) and authorizing the City Manager to execute the same.

7.6 Consider Approving the Final Report for the City of Placerville Local Road Safety Plan (CIP #42248). (Ms. McConnell)

Resolution No. 9314

Approved the final report for the City of Placerville Local Road Safety Plan.

7.7 Consider Approving a Consulting Services Agreement with Robertson-Bryan, Inc. (RBI) in an Amount Not to Exceed \$44,228.00 for the Fiscal Year 2024/2025 Services Related to the NPDES Permit for the Water Reclamation Facility and Authorizing the City Manager to Execute the Same (Ms. McConnell)

Resolution No. 9315

Approved a Consulting Services Agreement with Robertson-Bryan, Inc. (RBI) in an amount not to exceed \$44,228.00 for the Fiscal Year 2024/2025 services related to the NPDES permit for the Water Reclamation Facility and authorizing the City Manager to execute the same.

7.8 Consider Approving a Consulting Services Agreement with Rick Engineering in an Amount Not to Exceed \$227,700 for Engineering Design Services for the Thompson Way Repaving project (CIP #42206), Sheridan Street Paving Project (CIP #42324), and the Sherman Street Repaving Project (CIP #42208) and Authorizing the City Manager to Execute the Same (Ms. McConnell)

Resolution No. 9316

Approved a Consulting Services Agreement with Rick Engineering in an amount not to exceed \$227,700 for engineering design services for the Thompson Way Repaving Project (CIP #42206), Sheridan Street Paving Project (CIP #42324), and the Sherman Street Repaving Project (CIP #42208), and authorizing the City Manager to execute the same.

No public comment was received on the Consent Calendar. It was moved by Vice-Mayor Clerici and seconded by Councilmember Gotberg that the City Council approve the Consent Calendar as presented. The motion passed by the following 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 Ruth Michelson and from Dave Capizano, Deborah Woolley, Sandy Marquis, and John Murphy of We the People.

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 Consideration to Adopt a Resolution Declaring the Abandoned Pole Sign Located at 7530 Green Valley Road (APN: 325-120-038) as an Abandoned On-premise Sign and a Public Nuisance; and Declare to Commence Abatement (Mr. Rivas)

The Director of Development Services explained the item and the property owner addressed the City Council. Public comment was received from Ruth Michelson. Following Council discussion, it was moved by Councilmember Saragosa that the City Council require the property owner to either remove or replace the current signage within two weeks and, should this action not occur, abatement proceedings would begin immediately. If the sign face is removed and “For Sale” is placed on the sign, the sign may remain in place up to 180 days. If the property is not sold or in escrow after 180 days, the entire pole sign will be removed. The motion was seconded by Councilmember Gotberg.

After further discussion, Councilmember Saragosa amended his motion to include continuing the item for two weeks. Councilmember Gotberg amended her second and the amended motion was passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough

NOES: None
ABSENT: None
ABSTAIN: None

The Mayor called for a brief recess.

11.2 Consider Approving the Engineer’s Reports for the Cottonwood Park and Orchard Hill Landscaping and Lighting Maintenance Districts and Directing NBS to Prepare and Submit the Levy of Assessments to El Dorado County for the Placement of the Fiscal Year 2024/2025 Secured Property Tax Roll (Mr. Warren)

Resolution No. 9317

The Assistant City Manager/Director of Finance presented the reports. Public comment was received from Sue Rodman. It was moved by Vice-Mayor Clerici that the City Council adopt a resolution approving the Annual Engineer’s Reports for the Landscaping and Lighting Maintenance Districts and Cottonwood Park 99-01 and Orchard Hill 95-01 Subdivisions for Fiscal Year 2024/2025 and directing NBS to prepare and submit the Levy of Assessments to El Dorado County for the placement of the Fiscal Year 2024/2025 Secured Property Tax Roll. 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

12. DISCUSSION/ACTION ITEMS

12.1 Consider Adding the Girls’ Night Out and the Sugar Skull Art Walk to the List of Main Street Special Events that Warrant Main Street Closure During Calendar Year 2024 (Mr. Youel)

The Interim Director of Community Services summarized the item. Public comment was received from Melinda Velasco, Brenda Quintana, James Marques, Kirk Smith, Jenny Levitsky, Ruth Michelson, Jared, and Sue Rodman.

It was moved by Councilmember Gotberg that the City Council approve the inclusion of the Girls’ Night Out and the Sugar Skull Art Walk events into this year’s annual events on Main Street with a change in the road-closure start time for Girls’ Night Out to 3:00 p.m.; that the cost be borne by the applicants; and moving forward, applications for events will be taken in December. 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

Item 12.3 was discussed at this time.

12.2 Consider Approving the Second Amendment to the Current Water Supply Agreement with El Dorado Irrigation District, Authorizing the Mayor and City Manager to Execute the Same, and Directing Staff to Incorporate the Costs of the Second Amendment in the Current Water Cost of Service Study and Water Enterprise Fund Budgets Over the Next Five Years (Mr. Warren)

Resolution No. 9318

The Assistant City Manager/Director of Finance summarized the report. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Vice-Mayor Clerici that the City Council adopt a resolution approving the second amendment to the current Water Supply Agreement with El Dorado Irrigation District (EID) and authorize the Mayor and City Manager to execute the same; and directing staff to incorporate the costs of the second amendment in the current water cost of service study and Water Enterprise Fund Budgets over the next five years.

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

12.3 Consider Request by Merchants on Main to Move the Block Party Event from June to August 2024 (Mr. Youel)

The Interim Director of Community Services presented the item, and the applicant addressed the City Council. Public comment was received from Sue Rodman, Ruth Michelson, and Jenny Levitsky. The City Clerk noted two items of written communication received prior to the meeting.

It was moved by Vice-Mayor Clerici that the City Council approve the event for August 24, 2024, with a 2:30 p.m. road-closure start time, and that all costs be borne by the applicant. The motion was seconded by Councilmember Saragosa and passed by the following roll-call vote:

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

12.4 Consider a Resolution Approving Change Order #1 with Johnson Controls, Inc. for the Water Reclamation Facility Solar Photovoltaic Project (CIP #42246) in the Amount of \$1,190,465, Authorizing the City Manager to Execute the Same, and Approving a \$3,970,420 Budget Appropriation in State Clean Water Construction Loan (Principal Forgiveness) Funds for the Said Project (Mr. Morris)

Resolution No. 9319

The City Manager explained the report and responded to Council questions. Public comment was received from Sue Rodman. Following Council discussion, it was moved by Councilmember Gotberg that the City Council adopt a resolution approving Change Order #1 with Johnson Controls Inc. for the Water Reclamation Facility Solar Photovoltaic Project (CIP #42246) in the amount of \$1,190,465, authorizing the City Manager to execute the same, and approving a \$3,970,420 budget appropriation in State Clean Water Construction Loan (Principal Forgiveness) Funds for the said project.

The motion was seconded by Councilmember Saragosa 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 Acknowledge and File the HDL Sales Tax and Economic Reports for the Quarter Ended December 31, 2023 (Mr. Warren)

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

16. UPCOMING ITEMS

Items tentatively scheduled for the next City Council meeting include: Introduction of New Police Officer- Michael Ivanov, El Dorado County Fair Proclamation, LGBTQ Pride Proclamation, Torch Run Special Olympics Proclamation, Drainage Maintenance Lions Park, Traffic Impact Mitigation Fee Financial Report, Fiscal Year 2024/ 2025 Budget Open Hearing, Measure J Report, Investment Report, Mallard Apartments - Agreement for Drainage and Sewer Maintenance, Middletown Apartments - Agreement for Drainage and Sewer Maintenance, WRF - Secondary Clarifier No1 Recoating Contract, Broadway Sidewalks Contract Change Orders & Highway Safety Improvement Program Appropriation, Big Belly Pilot Program, Development Services Department Monthly Stats, Police Department Monthly Stats, Fire Monthly Stats, SB1 Projects, Public Works Case Roller, and Agreement with Sam Emerson – Receivership.

17. ADJOURNMENT @ 8:37 p.m.

The next regularly scheduled Council meeting will be held on June 11, 2024, 4:30 P.M. Closed Session, 5:00 P.M. Regular Meeting.

Regina O’Connell, CPMC, City Clerk