

**MINUTES OF A REGULAR MEETING OF
THE CITY OF ANGELS CITY COUNCIL
Monday, July 23, 2018**

Council Members Present: Linda Hermann, Scott Behiel, , Joseph Oliveira
Council Members Absent: Amanda Folendorf, Veronica Metildi
Staff Present: Melissa Eads - City Administrator
Robin Baral - Churchwell White, LLP
Susan Wenger - Deputy City Clerk
Mike Sargent - Interim Finance Officer
Emily Orr - Finance Officer
David Myers - City Engineer
Nathan Pry - Fire Marshall
Amy Augustine - Contract Planner
Todd Fordahl - Police Chief

REGULAR MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY VICE MAYOR HERMANN.

1. ROLL CALL

2. PUBLIC COMMENT

None

3. ADJOURN TO CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (one potential case)

B. CONFERENCE WITH LABOR NEGOTIATORS (Govt. Code section 54957.6)

Agency Designated Representatives: Melissa Eads, City Administrator and Douglas L. White, City Attorney

Employee Organizations: City of Angels Employee's Association (Miscellaneous), City of Angels Firefighters Association, Angels Police Officers Association, City of Angels Employee's Association (Exempt)

4. ADJOURNMENT OF CLOSED SESSION

6:00 p.m. REGULAR MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. ROLL CALL

2. ACTION FROM CLOSED SESSION

No action taken. Council will adjourn to closed session following the regular meeting.

3. APPROVAL OF THE AGENDA

Vice Mayor Hermann moved Consent Agenda Item B to the Regular Agenda.

ACTION: MOTION BY COUNCIL MEMBER OLIVEIRA, SECOND BY COUNCIL MEMBER BEHIEL, AND PASSED 3-0, TO APPROVE THE AGENDA AS AMENDED.

4. PUBLIC COMMENT

None

5. CONSENT AGENDA

Council Member Oliveira pulled item C for discussion.

City Administrator Eads pulled item E for discussion.

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 3-0, TO APPROVE ITEMS A AND D ON THE CONSENT AGENDA.

A. Approval of Minutes of Regular Meeting of July 3, 2018.

D. Adoption of resolution 18-36. A Resolution Approving Side Letter Agreement Between City of Angels and City of Angels Employee's Association (Miscellaneous) that Suspends Negotiations for a Successor Memorandum of Understanding Until November 12, 2018.

ACTION: MOTION BY COUNCIL MEMBER OLIVEIRA, SECOND BY COUNCIL MEMBER BEHIEL, AND PASSED 3-0, TO APPROVE ITEM C ON THE CONSENT AGENDA.

C. Adoption of a Policy Requiring City-Incurred Costs Accrued on Behalf of Private Development Projects to be Paid Prior to Scheduling a Public Hearing or Issuing an Entitlement.

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 3-0, TO APPROVE ITEM E ON THE CONSENT AGENDA.

E. Adoption of resolution 18-37. A Resolution Approving Side Letter Agreement Between City of Angels and City of Angels Firefighters Association.

6. REGULAR AGENDA

A. **PUBLIC HEARING:** Approval of Resolution 18-33. A Resolution Approving the Engineer's Report, Confirming Diagram and Assessment and Directing Auditor of Calaveras County to Continue and Collect Assessments for the Fiscal Year 2018-2019 for the Landscape & Lighting District No. 1 - Greenhorn Creek.

Public Hearing was opened. Vice Mayor Hermann asked for comments from the public. Hearing none the Vice Mayor closed the public hearing.

Public Hearing was closed.

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 3-0, APPROVING RESOLUTION 18-33. A RESOLUTION APPROVING THE ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND DIRECTING AUDITOR OF CALAVERAS COUNTY TO CONTINUE AND COLLECT ASSESSMENTS FOR THE FISCAL YEAR 2018-2019 FOR THE LANDSCAPE & LIGHTING DISTRICT NO. 1 - GREENHORN CREEK.

B. **PUBLIC HEARING:** Introduction of Ordinance #484. An Ordinance of the City Council of the City of Angels Camp Amending Section 17.34.080 of the City of Angels Municipal Code Clarifying When Conditional Use Permits and Site Plan Reviews are Required in Commercial (Central/Community Commercial, Suburban/Shopping Center Commercial, Light Commercial, Historic Commercial, Visitor Serving Commercial) and Business Attraction and Expansion Zoning Districts.

Public Hearing was opened.

Debbie Ponte, Executive Director, Destination Angels Camp (DAC), spoke in Support of Ordinance #484.

Public Hearing was closed.

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 3-0, INTRODUCING ORDINANCE #484. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGELS CAMP AMENDING SECTION 17.34.080 OF THE CITY OF ANGELS MUNICIPAL CODE CLARIFYING WHEN CONDITIONAL USE PERMITS AND SITE PLAN REVIEWS ARE REQUIRED IN COMMERCIAL AND BUSINESS ATTRACTION AND EXPANSION ZONING DISTRICTS AND TO SET AUGUST 7, 2018 FOR PUBLIC HEARING.

C. **PUBLIC HEARING:** Adoption of Resolution 18-34. A Resolution Approving the Adoption of the Fiscal Year 2018-2019 Budget.

Public Hearing was opened.

Anne Forrest referred to the Municipal Code that covers the Museum Commission and denied Council Member Behiels statement that one task of the Museum Commission was to make the Museum self sufficient.

Debbie Ponte, Executive Director, Destination Angels Camp (DAC), supports the recommendation of Council Member Oliveira to leave the Museum Director's salary in the budget for the time being. She said there has been a lot of misinformation circulating and this is an opportunity for a new start with the Commission. Ms. Ponte asked for clarification on the budget items for ACBA, and indicated that the DAC Board is supportive of being the education arm for the City's tax initiative.

Public Hearing was closed.

ACTION: MOTION BY COUNCIL MEMBER OLIVEIRA, SECOND BY VICE MAYOR HERMANN, AND PASSED 2-1, TO ADOPT RESOLUTION 18-34. A RESOLUTION APPROVING THE ADOPTION OF THE FISCAL YEAR 2018-2019 BUDGET WITH DIRECTION TO STAFF TO DISCUSS WITH THE MUSEUM COMMISSION AND SEEK RECOMMENDATIONS FROM THE COMMISSION ON ADDITIONAL REDUCTIONS TO THE MUSEUM BUDGET AS A RESULT OF PERSONNEL CHANGES.

D. Adoption of Resolution 18-35 A Resolution Establishing the Fiscal Year 2018/2019 Gann Appropriations Limit for the City of Angels at \$3,390,437.

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVIERA, AND PASSED 3-0 TO ADOPT RESOLUTION 18-35 ESTABLISHING THE FISCAL YEAR 2018/2019 GANN APPROPRIATIONS LIMIT FOR THE CITY OF ANGELS AT \$3,390,437.

7. CORRESPONDENCE

8. COUNCIL REPORTS

Vice Mayor Hermann - No Report

Council Member Oliveira - No Report

Council Member Behiel - No Report

9. CONSOLIDATED STAFF REPORT

10. CORRESPONDENCE

The Council accepted 4 items of correspondence.

11. CALENDAR

Calendar was read by the Deputy City Clerk

12. ADJOURNMENT

The Meeting was adjourned at 7:03 pm. Council adjourned to closed session. Action to be reported out at the next regularly scheduled meeting.

Linda Hermann
Vice Mayor

ATTEST:

Susan Wenger
Deputy City Clerk