

**MINUTES OF A REGULAR MEETING OF
THE CITY OF ANGELS CITY COUNCIL
Tuesday, October 16, 2018**

Council Members Present: Amanda Folendorf, Linda Hermann, Scott Behiel, Veronica Metildi, Joseph Oliveira

Council Members Absent: None

Staff Present: Melissa Eads - City Administrator
Douglas White - Churchwell White, LLP
Susan Wenger - Deputy City Clerk
David Myers - City Engineer
Nathan Pry - Fire Marshall
Emily Orr - Finance Officer
Amy Augustine - AICP Contract Planner

5:00 p.m. CLOSED SESSION

CALL TO ORDER

1. ROLL CALL

Council Member Metildi was absent during roll call. She arrived at 6:00 pm.

2. PUBLIC COMMENT

3. ADJOURN TO CLOSED SESSION

- A. PUBLIC EMPLOYEE APPOINTMENT (Govt. Code section 54957)
TITLE: Police Chief
- 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

All Council Members Present

2. REPORT FROM CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (2 potential cases)

Mayor Folendorf recused herself from discussion on this item. Vice Mayor Hermann presided.

ACTION: DIRECTION GIVEN TO STAFF

B. CONFERENCE WITH LEGAL COUNSEL – Existing litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9: Name of Case: In the Matter of the Abatement at 1191 South Main Street, Angels Camp, Calaveras County Superior Court, Case No.: 18CV43474

ACTION: DIRECTION GIVEN TO STAFF

C. 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)

ACTION TO BE REPORTED UNDER REGULAR AGENDA ITEM 5C

3. APPROVAL OF THE AGENDA

ACTION: MOTION BY COUNCIL MEMBER OLIVEIRA, SECOND BY VICE MAYOR HERMANN, AND PASSED 5-0, TO APPROVE THE AGENDA.

4. PUBLIC COMMENT

Kristi Reeseman addressed the Council regarding the request that several candidates remove their election signs in the downtown district. She told the Council that the Supreme Court heard a case in 2015 and gave a unanimous opinion that restrictions on election signs violated first amendment rights.

Matt Ospital, Weber Ghio Associates, introduced himself and said they were willing and eager to assist with engineering services.

Debbie Ponte reminded the Council and Public that the Mark Twain Wild West Fest would be on October 20, 2018 and encouraged all to attend. She also spoke as Executive Director of Destination Angels Camp, encouraging the citizens of the City to pick up the Measure C Fact Sheet and become educated on Measure C which is imposing a one half cent sales and use tax in the City of Angels.

5. CONSENT AGENDA

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 5-0, TO APPROVE ITEMS B, C AND D ON THE CONSENT AGENDA.

B. Approval of Reimbursement Agreement for Traffic Impact Mitigation Fees for the Mark Twain Medical Center at 590 Stanislaus Avenue - Amy Augustine, AICP - Contract City Planner

C. Appointment of Roger Moore to the Position of Public Works Foreman with Authorization to Execute the Employment Agreement as Negotiated in the Amount of \$70,824 Plus Benefits and Authorize Subsequent Budget Adjustment in the Amount of \$3,676.40.

D. Approval of a Limited Term, Sole Source Contract Award with Weber Ghio & Associates, Inc. for City Engineer Services in an Amount Not to Exceed \$25,000.

ACTION: MOTION BY COUNCIL MEMBER OLIVEIRA, SECOND BY COUNCIL MEMBER BEHIEL, AND PASSED 5-0, TO APPROVE ITEM A ON THE CONSENT AGENDA.

A. Approval of Minutes of Regular Meeting of October 2, 2018.

6. REGULAR AGENDA

- A. Presentation on Downtown Historic Building Plaques - Anne Forrest, Angels Camp Business Association, showed the City Council the first of the plaques being made to tell the history of the properties in the historic downtown district.
- B. Presentation by Bartle Wells Associates on the Water/Wastewater Rate Study and Financial Scenarios - Michael DeGroot, Bartle Wells Associates, gave a presentation on their analysis for the water and wastewater rate study and clarified rate requirements for the Council and public. Staff expressed concern about charging the same amount for a mobile home or apartment as a single family home. Michael DeGroot reiterated the proportionality requirement and told the Council that assistance programs could not be funded with rate revenue.
- C. **PUBLIC HEARING:** Second Reading and Adoption of Ordinance #485. An Ordinance Amending Chapter 17.12 Section 17.12.020 of the City of Angels Municipal Code (Zoning Map) Rezoning Assessor's Parcels 058-011-010 and 058-011-032 From Suburban Commercial (SC) to Business Attraction and Expansion (BAE) - Amy Augustine, AICP- Planner

The Public Hearing was opened at 7:26 pm

PUBLIC COMMENT

Scott Patterson, President, California Gold Development Corporation, asked the Council's support for the zoning change on the two parcels.

The Public Hearing was closed at 7:27 pm

ACTION: MOTION BY VICE MAYOR HERMANN, SECOND BY COUNCIL MEMBER METILDI, AND PASSED 5-0, TO WAIVE THE SECOND READING AND ADOPT ORDINANCE #485. AN ORDINANCE AMENDING CHAPTER 17.12 SECTION 17.12.020 OF THE CITY OF ANGELS MUNICIPAL CODE (ZONING MAP) REZONING ASSESSOR'S PARCELS 058-011-010 AND 058-011-032 FROM SUBURBAN COMMERCIAL (SC) TO BUSINESS ATTRACTION AND EXPANSION (BAE).

- D. **PUBLIC HEARING:** This Public Hearing is Being Called by the City Council for the Purpose of Soliciting Citizen's Views to Set Priorities for the Potential Submission of a Community Development Block Grant (CDBG) Application to the State Department of Housing and Community (HCD) for the 2018 Cycle. And Consider Submission of the Closeout Certification for CDBG #16-CDBG-1131 - Terry Cox, Cox Consulting

The Public Hearing to set priorities for potential submission of CDBG applications was opened at 7:48 pm

PUBLIC COMMENT

Amy Augustine, AICP - Planner, asked Terry Cox if a non-profit could use CDBG funds to convert units into affordable housing. Ms. Cox said that the project could qualify through the use of a sub recipient agreement.

Debbie Ponte asked, in regards to over the counter economic development grants, if a developer needs more funding to finish up a project. Ms. Cox said over the counter could be submitted at any time through the 2018 cycle, but how long the money will be available is still undetermined.

The Public Hearing was closed at 7:52 pm

Council Member Behiel indicated his interest in the City pursuing funding for home built by Habitat for Humanity. Ms. Cox indicated that there would be issues with the timeline because you have to deliver the benefit within the grant term of about 2 years, meaning all of the units would need to be completed within that time.

The Public Hearing to consider the submission of the Closeout Certification for CDBG #16-CDBG-1131 was opened at 8:00 pm.

The Public Hearing was closed at 8:01 pm

ACTION: MOTION BY COUNCIL MEMBER METILDI, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 5-0, TO DIRECT THE CITY ADMINISTRATOR TO EXECUTE AND SUBMIT THE CLOSEOUT CERTIFICATION FOR CDBG #16-CDBG-1131.

E. Authorize the Implementation of Springbrook Civic Pay (Online Bills) to Increase Utility Billing Efficiencies and Approve the Required Budget Adjustment - Emily Orr, Finance Officer

ACTION: MOTION BY COUNCIL MEMBER BEHIEL, SECOND BY COUNCIL MEMBER OLIVEIRA, AND PASSED 5-0, TO APPROVE THE IMPLEMENTATION OF SPRINGBROOK CIVIC PAY.

7. CONSOLIDATED STAFF REPORT

8. COUNCIL REPORTS

Council Member Metildi - No Report

Vice Mayor Hermann - Attended Coffee with a Cop and meetings on the Sales Tax Measure

Council Member Oliveira - No Report

Council Member Behiel - No Report

Mayor Folendorf - Attended the Calaveras Visitors Bureau event

9. CALENDAR

Calendar was read by the Deputy City Clerk

10. ADJOURNMENT

The Meeting was adjourned at 8:25 pm.

Amanda Folendorf
Mayor

ATTEST:

Susan Wenger
Deputy City Clerk