

# AGENDA

# CITY OF PLYMOUTH

## City Council

### SPECIAL MEETING

WEDNESDAY, NOVEMBER 15, 2023

Council Chambers  
9426 Main Street, Plymouth, California



**Marianne Akerland, Mayor**

**Doug Sim, Vice Mayor**

**Peter Amoruso, Council Member**

**Michael McLaughlin, Council Member**

**Keith White, Council Member**

**PLEASE NOTE:** The Council may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. **Members of the public who wish to speak may be subject to a three (3) minute maximum time limit when addressing the Council, and/or the City may require speaker identification sheets be submitted to the Deputy City Clerk prior to being called upon by the Mayor to provide public comment.**





**CITY OF PLYMOUTH CITY COUNCIL  
SPECIAL MEETING AGENDA  
Wednesday, November 15, 2023  
6:30 PM**

Members of the public not attending in-person may submit written public comment prior to the meeting by emailing your comment to the Deputy City Clerk at [vmchenry@cityofplymouth.org](mailto:vmchenry@cityofplymouth.org) before 3:30 PM on the day of the meeting. Emailed public comments will be distributed to the City Council and made part of the official record.

**Marianne Akerland, Mayor**

Douglas Sim, Vice Mayor

Peter Amoruso, Council Member

Michael McLaughlin, Council Member

Keith White, Council Member

**MISSION STATEMENT**

***The City of Plymouth preserves our small-town atmosphere and provides fiscally responsible services that fulfill public needs while protecting their quality of life.***

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This meeting will be recorded. Council Chambers are wheelchair accessible. Special accommodation may be requested by contacting the City Clerk 24 hours in advance of the meeting. **Please silence all cell phones or similar devices.**

**1. CALL TO ORDER/ROLL CALL:**

- Roll Call
- Pledge of Allegiance

**2. APPROVAL OF CITY COUNCIL SPECIAL MEETING AGENDA OF NOVEMBER 15, 2023**

**3. SPECIAL MEETING PUBLIC COMMENT:**

Under provisions of the California Code, the City Council citizens wishing to address the Council at a Special Meeting for any matter on the agenda may do so by completing a Speaker Submittal Form to the Deputy City Clerk or following the instructions noted on this agenda, speakers will be called by the Mayor at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state their name and community of residence. Under provisions of the California Government Code, the City Council is prohibited from materially discussing or taking action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or an urgent need to take immediate action arose after the posting of the agenda.

**4. REGULAR AGENDA ITEMS: NONE**

**5. CONSENT CALENDAR ITEMS:**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

**5.1 CORRESPONDENCE**

**5.2 APPROVE THE SPECIAL MEETING MINUTES OF OCTOBER 24, 2023**

**5.3 APPROVE THE SPECIAL MEETING MINUTES OF THE NOVEMBER 2, 2023**

**6. PUBLIC HEARINGS: NONE**

**7. REGULAR AGENDA ITEMS:**

**7.1 DISCUSS THE 49ER VILLAGE AND SHORT-TERM RENTALS AND RELATED ISSUES**

**RECOMMENDATION:** Staff recommends that the Council discuss the item and potentially provide staff with direction

**7.2 CONSIDER ADOPTION OF CITY COUNCIL ACCOUNTABILITY POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-007 City Council Accountability Policy

**7.3 CONSIDER ADOPTION OF CITY COUNCIL CONDUCT OF PUBLIC MEETINGS POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-008 City Council Conduct of Public Meetings Policy

**7.4 CONSIDER ADOPTION OF CITY COUNCIL COMMITTEES POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-033 City Council Committees Policy

**7.5 DETERMINE IF THE COUNCIL WOULD LIKE TO RECONSIDER ITS PREVIOUS DECISION WITH RESPECT TO ALLOCATIONS OF PROP 68 GRANT PROCEEDS SPLITTING THE FUNDS BETWEEN MCGEE PARK AND LODGE HILL**

**RECOMMENDATION:** Staff recommends Council discuss whether they, as a body, would like to reconsider its prior decision regarding usage of the Grant funds

**7.6 DISCUSS THE PROP 68 GRANT FUNDS AND POTENTIALLY DETERMINE THE PROJECTS AND ALLOCATION OF GRANT PROCEEDS FOR IMPROVEMENTS AT LODGE HILL, MCGEE PARK, OR OTHER PARKS [THIS ITEM ONLY TO BE DISCUSSED IF THE COUNCIL VOTES TO RECONSIDER ON ITEM 7.5]**

**RECOMMENDATION:** Staff recommends Council discuss the report and provide direction

**8. COUNCIL/STAFF COMMUNICATIONS – Brief reports on matters of general interest**

**8.1 CITY MANAGER'S REPORT**

**8.2 MAYOR & COUNCIL MEMBERS' REPORTS**

### 8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

## 9. CLOSED SESSION

### 9.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GOV. CODE 54956.9 (d)(2)): Two cases

### 9.2 REPORT FROM CLOSED SESSION

## 10. ADJOURNMENT

### **ADDITIONAL INFORMATION**

Public documents related to an item on the open session portion of this agenda, which are distributed to the City Council less than 24 hours prior to the meeting, shall be available for public inspection at the Deputy City Clerk's office located in Plymouth City Hall and at the time of the meeting.

Persons interested in proposing an item for the City Council Agenda should contact a member of the Deputy City Council, or the City Manager.

### **NOTICE:**

*As presiding officer for this meeting, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disruptive conduct, and to enforce the rules of the Council.*

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Deputy City Clerk's Office at (209) 245-6941 prior to the meeting.

### **CERTIFICATION OF POSTING OF AGENDA**

I, Victoria McHenry, Deputy City Clerk for the City of Plymouth, declare that the foregoing agenda for the November 15, 2023, Special Meeting of the Plymouth City Council was posted and available for review on November 13, 2023 at the City Hall of the City of Plymouth, 9426 Main Street, Plymouth, California, 95669. The agenda is also available on the city website at [cityofplymouth.org](http://cityofplymouth.org).

Signed at Plymouth, California

//s//

Victoria McHenry  
Deputy City Clerk



# 5.1

**CORRESPONDENCE**  
**NO CORRESPONDENCE RECEIVED**





# 5.2





**CITY OF PLYMOUTH CITY COUNCIL  
SPECIAL MEETING MINUTES DRAFT  
Tuesday, October 24, 2023  
6:30 PM**

In-person participation by the public is permitted. Alternatively, remote/electronic public participation is available in one of the following ways:

Via City of Plymouth's **City Council** Zoom Meeting  
Join Zoom Meeting

<https://us02web.zoom.us/j/89825278213?pwd=QzBPN3dwSUtQVTVLeENlYXoyTDVlZz09>

Dial In At: +1 669 900 9128 US (San Jose)

Meeting ID: 898 2527 8213

Passcode: 652583

One-tap mobile: +16699009128,, 89825278213#,,,, \*652583#

Members of the public participating electronically via this link and wishing to speak may do so during Public Comment, by using the “raised hand” feature in the Zoom webinar. When dialing in to Zoom, at the phone number listed above, on phone use \*9 to Raise and Lower your hand, use \*6 to mute and unmute your phone.

Via written public comment prior to the meeting by emailing your comment to the Deputy City Clerk at [vmchenry@cityofplymouth.org](mailto:vmchenry@cityofplymouth.org) before 3:30 PM on the day of the meeting. Emailed public comments will be distributed to the City Council and made part of the official record.

**Marianne Akerland, Mayor**

Douglas Sim, Vice Mayor

Michael McLaughlin, Council Member

Keith White, Council Member

**MISSION STATEMENT**

***The City of Plymouth preserves our small-town atmosphere and provides fiscally responsible services that fulfill public needs while protecting their quality of life.***

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**1. CALL TO ORDER/ROLL CALL:**

**COUNCIL MEMBERS PRESENT:** Marianne Akerland, Mayor, Doug Sim, Vice Mayor, Michael McLaughlin, Keith White

**COUNCIL MEMBERS ABSENT:** None

**STAFF/ADVISORY PRESENT:** Margaret S. Roberts, City Manager; Frank Splendorio, City Attorney, Victoria McHenry, Deputy City Clerk, Dana Knight, Zoom Technician

**STAFF/ADVISORY VIA ZOOM/ TELECONFERENCE:** None

**STAFF/ADVISORY ABSENT:** McLean Sonnenberg, City Clerk, Joyce Czerwinsky, City Treasurer

- **Flag Salute led by Mayor Akerland**

**2. APPROVAL OF CITY COUNCIL SPECIAL MEETING AGENDA OF October 24, 2023**

Motion made by Council Member White, second by Council Member McLaughlin to approve the October 24, 2023, Special Meeting Agenda. Motion passed by a roll call vote 4-0

**3. SPECIAL MEETING PUBLIC COMMENT:**

Jon Colburn commented that there are several businesses on Main Street that are lit up with purple lights for World Polio Day.

**4. REGULAR AGENDA ITEMS:**

**4.1 INTERVIEWS OF THE CANDIDATES TO FILL THE VACANCY ON THE CITY COUNCIL**

**RECOMMENDATION:** Staff recommends Interviewing the candidates.

Jon Colburn, Trevor Doyle and Peter Amoruso were all interviewed by the Council.

Mayor Akerland noted the letter from the Miwok Tribe that will be added to the permanent record regarding tonight's meeting.

There was a brief recess from 7:10-7:22 pm.

After recess each Council Member individually thanked the candidates for their willingness to serve. The Council will discuss the interviews at the Regular Council Meeting on October 26, 2023.

**5. ADJOURNMENT: 7:30 pm**

# 5.3





**CITY OF PLYMOUTH CITY COUNCIL  
SPECIAL MEETING MINUTES DRAFT  
Thursday, November 2, 2023  
6:30 PM**

Members of the public not attending in-person may submit written public comment prior to the meeting by emailing your comment to the Deputy City Clerk at [vmchenry@cityofplymouth.org](mailto:vmchenry@cityofplymouth.org) before 3:30 PM on the day of the meeting. Emailed public comments will be distributed to the City Council and made part of the official record.

**Marianne Akerland, Mayor**

Douglas Sim, Vice Mayor

Michael McLaughlin, Council Member

Keith White, Council Member

**MISSION STATEMENT**

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**1. CALL TO ORDER/ROLL CALL:**

**COUNCIL MEMBERS PRESENT:** Marianne Akerland, Mayor, Doug Sim, Vice Mayor, Michael McLaughlin, Keith White

**COUNCIL MEMBERS ABSENT:** None

**STAFF/ADVISORY PRESENT:** Margaret S. Roberts, City Manager; Frank Splendorio, City Attorney, Victoria McHenry, Deputy City Clerk, Dana Knight, Zoom Technician

**STAFF/ADVISORY ABSENT:** McLean Sonnenberg, City Clerk, Joyce Czerwinsky, City Treasurer

- **Flag Salute led by Council Member White**

**2. APPROVAL OF CITY COUNCIL SPECIAL MEETING AGENDA OF NOVEMBER 2, 2023**

Mayor Akerland requested to change the title of item 4 from Regular Agenda Items to Presentations, Proclamations and Appointments. She also requested to move item 4.2 to item 7.5.

Motion made by Council Member McLaughlin, second by Council Member White to approve the November 2, 2023, Special Meeting Agenda with Mayor Akerland’s requested changes. Motion passed by a roll call vote 4-0.

**3. SPECIAL MEETING PUBLIC COMMENT: NONE**

**4. PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS:**

#### **4.1 DISCUSS AND CONSIDER APPOINTMENTS TO FILL THE VACANCY ON THE CITY COUNCIL**

**RECOMMENDATION:** Staff recommends City Council discuss and consider making the appointment to fill the vacancy on the City Council

D.W. Cranford from Plymouth spoke and submitted a letter regarding a street that was near his home that was now on the Miwok Trust. He asked them to address his questions regarding this.

The following citizens spoke in the favor of Jon Colburn: Jon Campbell, Bailey Lubenko

Jon Colburn spoke saying that if appointed, he looks forward to working with the council.

The council discussed the candidates at length. Mayor Akerland put forth Peter Amoruso's name as who she recommended to fill the vacant City Council seat.

Motion made by Council Member McLaughlin, second by Council Member White to appoint Peter Amoruso to fill the vacant City Council seat. Motion passed by a roll call vote 4-0.

Newly appointed Council Member Peter Amoruso was given the Oath of Office and took his seat on the dais.

#### **5. CONSENT CALENDAR ITEMS:**

##### **5.1 CORRESPONDENCE**

##### **5.2 APPROVE THE REGULAR MEETING MINUTES OF OCTOBER 12, 2023**

##### **5.3 APPROVE THE SPECIAL MEETING MINUTES OF OCTOBER 17, 2023**

##### **5.4 ACCEPT THE WARRANT REGISTER FOR SEPTEMBER 2023**

Motion made by Council Member White, second by Council Member McLaughlin to approve the consent calendar items as presented. Motion passed by a roll call vote 5-0.

#### **6. PUBLIC HEARINGS: NONE**

#### **7. REGULAR AGENDA ITEMS:**

##### **7.1 CONSIDER ADOPTION OF CITY COUNCIL MEETINGS POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-022 City Council Meetings Policy – City Manager stated there may be some changes to the virtual portion of the policy.

Mike Spinetta from Hawksview agreed with having the chat function shut off and asked if would apply to the Planning Commission meetings as well.

City Attorney, Frank Splendorio clarified that if it was to apply to the Planning Commission meetings it would have to come back to the council at another time.

Mayor Akerland requested that in Section VII, subsection C, the words "in writing" be removed from the policy, stating that there are sometimes emergencies when in writing may not be possible.



Motion by Council Member McLaughlin, second by Council Member Amoruso to adopt Policy CC-022 City Council Meetings as is with the words “in writing” removed from Section VII, subsection C. Motion passed by a roll call vote 5-0.

## **7.2 CONSIDER ADOPTION OF CITY COUNCIL FUNCTIONS AND DUTIES OF THE MAYOR POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC- 023 City Council Functions and Duties of the Mayor Policy

Motion by Council Member Amoruso, second by Vice Mayor Sim to adopt Policy CC-023 City Council Functions and Duties of the Mayor. Motion passed by a roll call vote 5-0.

## **7.3 CONSIDER ADOPTION OF CITY COUNCIL POWERS POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-024 City Council Powers Policy

Council Member McLaughlin requested that Section II, subsection f, reference Policy CC-023.

Motion by Council Member McLaughlin, second by Council Member White to adopt City Council Powers Policy CC-024 with the requested addition to reference Policy CC-023 on Section II, subsection f. Motion passed by a roll call vote 5-0.

## **7.4 CONSIDER ADOPTION OF CITY COUNCIL DESIGNATION OF CITY COUNCIL OFFICERS POLICY**

**RECOMMENDATION:** Staff recommends Council adoption of Policy CC-009 City Council Designation of City Council Officers Policy

Council Member White requested that in Section II, subsection a and Section IV, subsection b be changed from 4/5 to 3/5. Mayor Akerland asked that in Section 1, subsection e, the portion “including the nominee for Mayor” be removed as well as in Section 3, subsection e, the portion “including the nominee for Vice Mayor”.

Motion by Council Member McLaughlin, second by Council Member Amoruso to adopt Policy CC-009 City Council Designation of City Council Officers Policy with the following modifications Section II, subsection a and Section IV, subsection changing 4/5 to 3/5 and in Section 1, subsection e, the portion “including the nominee for Mayor” be removed as well as in Section 3, subsection e, the portion “including the nominee for Vice Mayor”. Motion passed by a roll call vote 5-0.

## **7.5 CONSIDER APPOINTING AN AD HOC COMMITTEE TO WORK ON THE AMADOR COUNTY SHERIFF’S CONTRACT**

**RECOMMENDATION:** Staff recommends City Council appoint two members of the Council to an Ad Hoc Committee to work on the Amador County Sheriff’s contract

After council discussion it was determined that Vice Mayor Doug Sim and Council Member McLaughlin will head the Ad Hoc Committee to report back to council with recommendations.

Motion made by Council Member White, second by Council Member Amoruso to appoint Vice Mayor Sim and Council Member McLaughlin to the Ad Hoc Committee. Motion passed by a roll call vote 5-0.

**8. COUNCIL/STAFF COMMUNICATIONS – Brief reports on matters of general interest**

**8.1 CITY MANAGER’S REPORT**

City Manager Roberts mentioned the Parks Grant Meeting on November 1<sup>st</sup>. She is working on a staff report compiling the information given at both meetings. City Manager Roberts will come up with a list of the top three choices from both meetings. She also noted that a police report was filed regarding the zoom bombing at the October 26<sup>th</sup> meeting. She will also be filing a report with the FBI.

**8.2 MAYOR & COUNCIL MEMBERS’ REPORTS**

Council Member Amoruso thanked the council for their vote of confidence in appointing him to the vacant City Council seat.

Mayor Akerland thanked her husband for his work on the radar trailers and noted how effective they were in helping with traffic and city information. She thanked Public Works employee Curtis Cantwell for his help with this. City Manager Roberts added that Public Works employee Jeff Shaw will be trained in the trailer’s use.

**8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Vice Mayor Sim asked if they could revisit the topic of not splitting the money in the Parks Grant between McGee Park and Lodge Hill and just using the entire amount to improve McGee Park since it is used more. City Attorney Frank Splendorio clarified that it could be done in two parts by bringing it back to the council for consideration and if they choose to do so, then bring it back again to the council for a vote. He said they would need to make a motion to discuss it at the next meeting to put it on the next meeting’s agenda.

Motion made by Vice Mayor Sim, second by Council Member McLaughlin to discuss to reconsider the Parks Grant monies distribution at the next council meeting. Motion passed by a roll call vote 5-0.

**9. ADJOURNMENT: 7:53 PM**

**10. CLOSED SESSION**

**10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOV CODE 54957(B)(1))**

**Title:** City Manager

**10.2 REPORT FROM CLOSED SESSION: NO REPORTABLE ACTION**

**11. ADJOURNMENT: 9:06 PM**

**7.1**





# City of Plymouth

## City Council Meeting

### Staff Report

#### Item 7.1

**Date:**

November 15, 2023

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Discuss the 49er Village and Short-Term Rentals and Related Issues

**Issue Statement & Discussion:**

This item is intended to be a first discussion only. It is likely the first of many conversations on the topic. The Council may elect to provide some direction to staff to take further steps in evaluating and/or bringing options back to Council

It appears, based on staff research, the 49er Village RV Park was previously operated as a recreational vehicle resort where people came to camp on a short-term basis and take vacations. When Sun properties purchased the property the arm of the company that purchased the property was Sun RV Community property, which primarily serves permanent and long-term guests. For short-term stays with a resort-style feel they encourage people to check out their Sun Outdoor properties.

The recreational, short-term spaces bring in TOT to the City. When spaces are changed to long-term or full-time residents it creates a significant loss of revenue for the City.

In addition, due to the City's burgeoning hospitality, tourism, and wine attractions, the unexpected and marked decrease in short-term rental inventory at the Park impacts the City at large, for a variety of reasons. It potentially stifles short-term vacation stays in the City to explore Plymouth wine country and the greater Sierra Foothills.

**Fiscal Impact:**

There is no fiscal impact for this item.

**Staff Recommendation:**

Staff recommends Council discuss and provide possible direction to staff.



# 7.2







**City of Plymouth**  
**City Council Meeting**  
**Staff Report**  
**Item 7.2**

**Date:**

**November 15, 2023**

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Consider adoption of City Council Accountability Policy.

**Issue Statement & Discussion:**

Staff has been working on policies to bring to the Council for consideration in order to make things consistent moving forward in how business is done.

Policy CC-007 City Council is the policy of the City is to assure public confidence in the integrity of local governance, to hold themselves accountable to each other and the public, and to foster trust from the public. This policy applies only to the City of Plymouth Mayor, Vice Mayor, and City Council Members serving on the Plymouth City Council ("Council") for improper conduct that could result in admonition or censure.

The policy shall be effective on the date of adoption by the Council and shall not be applied retroactively to any conduct occurring before the effective date. Any disciplinary action taken by the Council under this policy shall be final and not subject to an appeal or reconsideration.

Attachment(s):

- DRAFT CC-007 City Council Accountability Policy.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Staff Recommendation:**

Staff recommends adoption of Policy CC-007 City Council Accountability Policy.



CITY COUNCIL ACCOUNTABILITY		CC-007
CITY POLICY	Effective Date: MM/DD/YYYY	Revised Date: N/A

## PURPOSE AND SCOPE

The Plymouth City Council adopts this policy for members of the City Council to assure public confidence in the integrity of local governance, to hold themselves accountable to each other and the public, and to foster trust from the public.

This policy applies only to the City of Plymouth Mayor, Vice Mayor, and City Council Members serving on the Plymouth City Council (“Council”) for improper conduct that could result in admonition or censure.

This policy shall be effective on the date of adoption by the Council (“Effective Date”) and shall not be applied retroactively to any conduct occurring before the Effective Date.

Any disciplinary action taken by the Council under this policy shall be final and not subject to an appeal or reconsideration.

## POLICY

It is the policy of the Council that all its members shall abide by federal and state law, City ordinances, and resolutions, and City policies, including the Council Policies (“Policies”). Violations of such Laws or Policies tend to undermine the effectiveness of the Council as a whole and foster distrust from the public.

Depending on the circumstances of the alleged violations, a majority of the Council, when convened at a public meeting, may request an investigation of any allegations before a request is made for any of the actions described in this policy. An investigation is not required, but a quorum of the Council may request and be granted an investigation of the alleged violation.

Nothing in this policy shall preclude individual Council Members from making public statements at public meetings regarding such alleged conduct. While the Council has broad discretion in deciding specific actions it may choose to take in response to violations, which would not require the Council to adopt a policy, including but not limited to voting to remove a Council Member from a Committee or Board, or a vote of no confidence in a particular Council Member, this policy provides definitions and procedures related to two types of actions: admonition and censure.

The Council shall only censure a Council Member according to this policy if a Council Member has violated the same policy more than at least two times.

## DEFINITIONS

- A. Informal Admonition - An informal admonition is typically directed at a member or members of the Council, by at least one other Council Member. An admonition may be issued in response to a particular alleged action or actions violating a Policy. Because it is a warning or reminder by one of the members of the Council, and not an action taken by the body itself it need not require an investigation or separate hearing to determine whether the allegation is inarguably true. A formal admonition would follow a public

hearing, as further described below. The Council recognizes the right to criticize is protected by the First Amendment and an informal admonition may be done by an individual Council Member or by a Council motion and vote. A Mayor (or other Council Members) may, from time to time, remind Council Member(s) to comply with any Policy to conduct an orderly meeting. Such reminders are not to be deemed an informal admonition. Informal admonitions taken pursuant to this policy must be separately agendaized.

- B. Formal Censure - Censure is an official reprimand or condemnation made by the Council as a body in response to specified conduct by one of its members. Censure is disciplinary and requires the formal adoption of a resolution setting forth the Council Member's alleged violations of Policy. Although not required, censure could involve a reasonable investigation. Censure carries no fine or suspension of the rights of the Council Member as an elected official in any way. Still, a censure is a punitive action for a Council Member's violations of Policy.

## **PROCEDURES**

### **A. Informal Admonition**

- a. An individual Council Member can make an informal admonition at any Council meeting during the appropriately set forth agendaized portion of the meeting.
- b. The Council Member making the informal admonition must first ask the Mayor and City Manager to make the informal admonition at an upcoming meeting. The City Manager, in consultation with the Mayor, will determine the appropriate meeting date and time for such informal admonition. If the Mayor would like to request the informal admonition, he or she must ask the Vice-Mayor and City Manager and follow the same process.
- c. After agendaizing the informal admonition, the Mayor must allow the Council Member to make the informal admonition at that meeting. The informal admonition must state on the record the basis for the informal admonition, including the previous instance(s) where the same Policy had been violated by the offending Council Member, and urge the Council Member to refrain from abuse.
- d. Nothing precludes other members of the Council expressing their viewpoint (e.g., agreement or disagreement) with regard to the Informal Admonition. Public comment shall also be allowed for this item, as any other item.
- e. The Council Member making the informal admonition must have credible, reliable, and articulable facts supporting such informal admonition, and must also possess a good faith intent in bringing the informal admonition. Any Council Member who abuses the Informal Admonition process is subject to discipline him or herself.

### **B. Formal Censure Public Hearing**

- a. At a City Council Meeting, as with any other future agenda item, a majority of the Council is required to request a formal censure action be placed on a future regular meeting Council agenda.

- b. The Council Member who requested the future agenda item must prepare the agenda materials on his or her own, in consultation with the City Manager.
- c. The City shall provide a formal notice of the Public Hearing regarding the proposed action. The notice shall contain in general form the allegations and charges on which the proposed action is based and the date and time the matter will be heard.
- d. The City will publish a Public Hearing notice in the Ledger and post on the bulletin board in front of McGee Park, at the Post Office and online, at least five (5) days before the hearing.
- e. At the hearing, the Mayor shall conduct the public hearing and open it immediately.
- f. The Council Member who requested the hearing shall present the report and resolution, and state the reason(s) he or she is requesting the formal censure, and the Council Member who is the subject of the action shall have an opportunity to respond.
- g. At that point, the Council shall receive public comment and upon closing of the hearing, deliberate on the motion to adopt the resolution.
- h. The Council's resolution of censure must set forth the facts supporting the allegations of misconduct giving rise to the censure. A censure resolution may include imposing specific actions against the Council Member, such as removal from a Committee or Board; provided, however, that any action must be consistent with the Council's power over its internal governance, control, and organization. No actions may be taken in conflict with state or local law. A censure resolution requires a majority vote of the entire membership of the Council.

## REFERENCES

None

# 7.3





**City of Plymouth**  
**City Council Meeting**  
**Staff Report**  
**Item 7.3**

**Date:**

**November 15, 2023**

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Consider adoption of City Council Conduct of Public Meetings Policy.

**Issue Statement & Discussion:**

Staff has been working on policies to bring to the Council for consideration in order to make things consistent moving forward in how business is done.

Policy CC-008 City Council Conduct of Public Meetings is the policy of the City to provide guidance for conducting a public meeting to ensure a consistent format, clearly delineating process, and ample opportunity for the community to interact with their officials.

This policy states the role of the Mayor during a City Council Meeting. It discusses communication with Council Members, and communications with members of the public when addressing the City Council. It states the Rules of Order that the City Council has adopted. It gives the process for public hearing, staff and consultant reports, public comment, all types of motions, requests for reconsideration of a City Council action by a member of the public and by a member of the City Council, and effects of approval of a motion to reconsider. The policy also includes City Council discussions and deliberations, speaking more than once, relevancy of discussion, Mayor's duties during discussion and City Council Member respect. It discusses City Council and staff report and future agenda item requests and Conflicts of interest.

**Attachment(s):**

- DRAFT CC-008 City Council Conduct of Public Meetings Policy.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Staff Recommendation:**

Staff recommends adoption of Policy CC-008 City Council Conduct of Public Meetings Policy.



CONDUCT OF PUBLIC MEETINGS		CC-008
CITY POLICY	Effective Date: MM/DD/YYYY	Revised Date: N/A

## PURPOSE AND SCOPE

Open public meetings are an essential element of a representative government. The purpose of this policy is to provide guidance for conducting a public to ensure a consistent format, clearly delineated process, and ample opportunity for the community to interact with their officials.

## POLICY

It is the policy of the City of Plymouth to conduct public meetings following the guidance included herein. This policy applies to Brown Act meetings of the City Council.

## PROCEDURES

- A. Role of Mayor as Chair of the Meetings.
  - a. The Mayor is responsible for running City Council meetings.
    - I. If the Mayor is unavailable, the Vice Mayor shall conduct the meeting.
    - II. If the Mayor and Vice Mayor are unavailable, another Council Member will be designated to run the meeting from the Dias.
  - b. The Mayor is responsible for maintaining the order and decorum of meetings.
  - c. The Mayor is responsible for ensuring that the rules of operation and decorum are observed herein.
  - d. The Mayor shall maintain control of communication between Council Members and among the Council, staff, and public.
  - e. The Mayor has the prerogative to be the last Council Member to vote on an item during roll-call votes.
  - f. The Mayor and Council Members are responsible to self-monitor their conduct and speaking time to ensure a timely meeting.
- B. Communication with Council Members
  - a. Council Members shall request the floor from the Mayor before speaking.
  - b. When one member of the Council has the floor and is speaking, other Council Members shall not interrupt or otherwise disturb the speaker.
- C. Communication with Members of the Staff
  - a. Any staff member with an item on the agenda will be available to the City Council to answer questions arising during discussions between Council Members and among Council Members and members of the public.
- D. Rules of Order. The City Council adopts no specific rules of order except those listed herein.



The City Council shall refer to *Rosenberg's Rules of Order, Revised*, as a guide for the conduct of meetings, with the following modifications:

- a. Although permitted, a motion is not required before a general discussion on an agenda item. A pre-motion dialogue allows the members to share their thoughts on the agenda item so that a motion can more easily be made considering what appears to be the majority position.
  - b. The Mayor has the discretion to impose or modify the rules set forth in this policy at any particular meeting based upon facts and circumstances found in any specific meeting; provided however that such modifications shall be in compliance with state law.
  - c. Any failure to follow any specific parliamentary rules of this body shall not be deemed to annul, void, or otherwise forfeit any action taken by Council.
  - d. All motions, except nominations, require a second.
- E. Public Hearing Procedures. All public hearing items shall follow the following procedures:
- a. Disclosure of communications: On quasi-judicial or quasi-legislative public hearings, Council Members shall disclose all ex parte communications with any individual, including, but not limited to, the project applicant, prospective project applicants, neighboring property owners, residents, or any other party regarding development projects or enforcement actions. These disclosures shall include a clear description of the nature of the discussion, and any information or insight received that may not be presented as part of the public record. Such disclosure does not preclude the option that, at the request of the City Attorney, the member must also recuse him or herself after such disclosure.
  - b. Staff presentation and report followed by clarifying questions from the Council.
  - c. The Mayor shall then open the public hearing.
    - I. Applicant/Appellant presentation; the applicant (or appellant, as the case may be) shall be given up to 10 minutes to present to the City Council.
    - II. For matters involving quasi-judicial matters (e.g., code enforcement appeal), the enforcing parties (respondents) may have up to 10 minutes to present to the City Council.
    - III. The Council shall take public comments.
    - IV. Applicant rebuttal period: the applicant shall be given up to 10 minutes of rebuttal time. The applicant shall not be given time for rebuttal if there are no comments provided under subsection c.II. and c.III. of this section.
    - V. The Mayor shall close the public hearing
    - VI. Council discussion, consideration, and decision or other action.
- F. Staff and Consultant Reports.
- a. Staff is to assume that the Council has read all materials submitted.

- b. The Council shall be allowed to ask questions of staff before hearing public comments.

G. Public Comment.

- a. Persons present at meetings of the City Council may comment on individual items on the agenda.
- b. During Regular City Council meetings, general public comments may be offered on items not on the agenda under that portion of the agenda identified for general Public Comment. All such public comment must be addressed to the City Council.
- c. The limit for speakers will be 3 minutes. The Mayor has the discretion to adjust the time limit (for each speaker or total public comment time as a whole) depending on the number of anticipated speakers and the number of items that the Council is discussing at that meeting. The Mayor may make reasonable accommodation to allow speakers additional time, as appropriate. The Mayor may not limit the time for speech for any speaker on the basis of their content.
- d. Each speaker may only provide public comment once (written or verbal) per agenda item and during the general Public Comment Period (at regular meetings).
- e. No one may cede their time to a single individual to give such person more than 3 minutes to speak.
- f. Members of the public shall direct their comments to the Council as the legislative body. Members of the public shall not direct their comments to staff or other members of the public. If the Council wants a question asked by a member of the public, it may ask staff to do so but may refer the individuals to staff to discuss later or refer to other resources for factual information.
- g. Anyone wishing to address the City Council is asked to fill out a Request to Speak card indicating their name, address, and agenda item number/topic. A separate card is requested for each item. The request to speak cards shall be submitted to the City Clerk before the item is heard. If no card is submitted, the speaker must still be permitted to speak. However, at Mayor's discretion, if many more people are present to speak who did not fill out a speaker card, Mayor reserves the right to adjust the time for public comment when he or she first becomes aware of the anticipated amount of public comment.
- h. Upon addressing the Council, each speaker is requested, but not required, to first state their name and who they represent or city of residence.
- i. Council Members may, at their own discretion, briefly respond or ask a question of a person addressing the Council in public comment. That individual may briefly respond, and such response shall not be counted against their three minutes to speak.
- j. To avoid Brown Act violations, Council Members may only briefly respond or inquire with speaking during public comment in accordance with Government Code 54954.2(a)(3).
- k. Council Members shall be respectful of the speakers and shall not enter into a debate with any member of the public.

- l. Upon conclusion of the Public Comment section for any item, the Mayor may provide Council Members and staff with an opportunity to briefly respond to statements made by the public, consistent with Government Code 54954.2(a)(3).
- m. Council Members shall listen to all public discussions as part of the Council's community responsibility. Individual Council Members should remain open-minded to comments made by the public.
- n. The Mayor must enforce the time limits and ask a member of the public to step down if over the allotted time or if comments are not related to the City's business.
- o. It is never permissible to attack a speaker's motives, character, or personality either directly or by innuendo or implication. Such civic discourse shall focus on the issues and questions before it, not on the persons advancing such issues or questions.

#### H. Motions.

- a. It is the practice of the City Council for the Mayor to provide Council Members an opportunity to ask questions of staff, comment on, and discuss any agenda item to help form a consensus before a motion is offered.
- b. After sufficient discussion, the Mayor or any Council Member may make a motion.
- c. Before the motion can be considered or discussed, it must be seconded.
- d. Once a motion has been properly made and seconded, the Mayor shall open the matter for further discussion (if any is desired), offering the first opportunity to speak to the moving party and, after that, to any Council Member recognized by the Mayor.
- e. Customarily, the Mayor will take the floor after all other Council Members have been allowed to speak.
- f. If a motion contains divisible parts, any Council Member may request the Mayor or moving party to divide the motion into separate motions to provide Council Members an opportunity for more specific consideration.

#### I. Motion to Amend.

- a. A motion to amend seeks to modify the pending motion on the floor.
- b. A motion to amend may be made by any Council Member once it is seconded. The amendment to the main motion shall be ruled upon first before the main motion.
- c. A "friendly amendment" is also allowed. It is a parliamentary tool that is simple, informal, saves time, and avoids bogging a meeting down. When a Council Member has the floor, they can suggest a friendly amendment to the motion. If the maker and the member who seconded accept the friendly amendment, it becomes the pending, main motion.

#### J. Substitute Motion.

A substitute motion seeks to throw out (rather than amend) the pending motion on the floor and place an entirely new motion before the Council.

#### K. More than one motion on the floor

- a. There can be up to three (3) motions on the floor simultaneously.
  - b. The Mayor can reject a fourth motion until the existing three motions have been resolved.
  - c. When multiple motions (motion and second) are simultaneously on the floor, the Council shall consider and vote on the last motion first and proceed in reverse order (as necessary).
- L. Tie Votes.
- a. Tie votes shall be lost motions. Nothing precludes the Council from making a new motion immediately after a tie vote to try to get past an impasse. The matter may also be continued on the agenda of a future regular meeting of the Council unless otherwise ordered by the Council.
- M. Request/Motion for Reconsideration by a Council Member
- a. Only a member of the City Council who voted in the majority/prevaling side may request Reconsideration of an item at a future council meeting.
  - b. The request may be made at the same meeting or a future regular meeting during the future agenda items portion of the meeting.
  - c. The request needs to be supported by two (2) other Council Members for it to be added to a future agenda.
  - d. A request added to an agenda shall be structured so that a *motion for* Reconsideration must be considered immediately before an agenda item to substantively reconsider the item. If the motion for consideration agenda item fails, the next item shall not be discussed and shall be skipped on the agenda.
  - e. Only a council member who voted in the majority/prevaling side may move to reconsider an item during the agenda item to reconsider.
  - f. In supporting a request for reconsideration, the City Council Member should state the reason for the request orally without dwelling on the specific details or setting forth various arguments on the merits of the agenda item.
- N. Council Discussions and Deliberations.
- a. The discussion and deliberations at meetings of the City Council are to secure the mature judgment of Council Members on proposals submitted for decision. This purpose is best served by the exchange of thought through civil and professional discussion and debate.
  - b. These rules regulate discussion and deliberation to ensure every member has a reasonable and equal opportunity to be heard.
  - c. Obtaining the Floor for Discussion.
    - I. After the Council has commented on an issue and a motion has been stated to the Council and seconded, any member of the Council has a right to discuss it after obtaining the floor.
    - II. The member obtains the floor by seeking recognition from the Mayor.

O. Speaking More Than Once.

- a. To encourage the full participation of all members of the Council, Council Members shall not be permitted to monopolize the discussion of the question.
- b. If a Council Member has already spoken, other Council Members wishing to speak shall be recognized.
- c. No Council Member shall be allowed to speak again until after all other Council Members have had an opportunity to speak.

P. Relevancy of Discussion.

- a. All discussions must be relevant to the issue before the City Council.
- b. A Council Member is given the floor to only discuss the pending matter; if the discussion departs from the pending issue, the member is out of order.
- c. Council Members shall avoid repetition and strive to move the discussion along.
- d. Arguments, for or against an item, should be stated as concisely as possible.
- e. A motion, its nature, or its consequences may be debated vigorously.
- f. It is never permissible to attack a member's motives, character, or personality either directly or by innuendo or implication.
- g. The Mayor must instantly rule out of order any Council Member who engages in personal attacks. The motion, not its proposer, is subject to debate.
- h. Each Council Member is responsible for maintaining an open mind on all issues during discussion and deliberation.
- i. All City Council Members don't need to speak or give their viewpoints if another Council Member has already addressed their concerns.

Q. Mayor's Duties During Discussion.

- a. The Mayor has the responsibility of controlling and expediting the discussion.
- b. A Council Member who has been recognized to speak on a question has a right to the undivided attention of the Council.
- c. The Mayor must clarify the subject before the members, rule out irrelevant discussion, and restate the question whenever necessary.
- d. After the Vote.

Once a majority of the Council has approved a motion, no further substantive discussion shall be made unless the item is brought for Reconsideration as described previously.

R. Council Member Respect.

- a. Council Members shall abide by the Council's majority decision, even if in the minority.
- b. Council Members appointed to serve on regional boards and committees shall maintain the Council's position on an item, even if the Council Member disagrees with that

position.

- S. Council and Staff Reports and Future Agenda Item Requests.
  - a. Council and staff reports at the end of Council meetings shall be limited to announcing Council and Regional Board activities on which Council Members serve and City and City-sponsored activities. They may also make a brief report on his or her own activities, or make a brief announcement of City activities, germane to the City's business.
  - b. Community groups may announce their activities during Public Comments at the beginning of Council meetings.
  - c. Council Members may request items be added to future agendas under City Policy CC-021 City Council Meeting Agenda Policy
- T. Conflict of Interest.
  - a. If a Council Member becomes aware of a potential conflict of interest that would possibly require the Council Member to not participate in a discussion or vote on an agenda item before the City Council, the Council Member should go through the Mayor or City Manager to discuss it with the City Attorney before it hears the agenda item.
  - b. The Council Member is encouraged to follow the direction of the City Attorney.
  - c. If the Council Member requests an opinion from the California Fair Political Practices Commission ("FPPC"), the Council Member shall disclose at the next Council Meeting that such a request has been made.
  - d. If the Council Member is still waiting for the FPPC opinion at the time the City Council will hear the agenda item, the Council Member may recuse themselves from participating in the discussion and action until the FPPC opinion is received. Alternatively, the Council member may request the item be tabled upon concurrence by at least a majority of the quorum present.
  - e. Upon receiving the FPPC opinion, the Council Member shall share the conclusion of the opinion with the City Council and the public at the next Council meeting.

#### REFERENCES

City Policy 021 – City Council Agenda

City Policy XXX – Conflict of Interest

City Policy 005 – City Attorney Communication Policy

**7.4**







**City of Plymouth**  
**City Council Meeting**  
**Staff Report**  
**Item 7.4**

**Date:**

**November 15, 2023**

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Consider adoption of City Council Committees Policy.

**Issue Statement & Discussion:**

Staff has been working on policies to bring to the Council for consideration in order to make things consistent moving forward in how business is done.

Policy CC-033 City Council created committee is the policy that outlines the process for creating and administering City Council-created committees.

This policy states how to establish standing and Ad Hoc Committees to facilitate the business of the City. A committee may only undertake those tasks assigned by the City Council and cannot act independently from the City Council.

Attachment(s):

- DRAFT CC-033 City Council Committees Policy.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Staff Recommendation:**

Staff recommends adoption of Policy CC-033 City Council Committees Policy.



CITY COUNCIL COMMITTEES		CC-033
CITY POLICY	Effective Date: MM/DD/YYYY	Revised Date: N/A

### **PURPOSE AND SCOPE**

The City Council values input and participation by staff and Plymouth residents. This policy outlines the process for creating and administering new City Council-created committees as of the effective date of this policy.

### **POLICY**

It is the policy of the City of Plymouth to ensure that all City Council-created Committees are created and administered under the Ralph M. Brown Act, as applicable.

### **DEFINITIONS**

- A. Ad Hoc Committee – Created by the City Council for a single, limited-term purpose and consists of no more than two (2) City Council members. The Ralph M. Brown Act does not apply to Ad Hoc committees.
- B. Standing Committee – Created by the City Council for long-term or ongoing purposes, and the standing committee may include others on the committee besides just two or less Council members. All standing committee meetings and actions are subject to the Ralph M. Brown Act.

### **PROCEDURES**

- A. The City Council may establish standing and ad hoc committees to facilitate the business of the City. A committee may only undertake those tasks assigned by the City Council and cannot act independently from the City Council. Other than the Planning Commission, whose authority is set forth in the Plymouth Municipal Code and under the State Planning and Zoning Law, such standing or ad hoc committees shall serve in an advisory capacity only.
- B. Standing Committees
  - a. A “standing committee” may be composed of City Council Members (two or less), staff, and members of the public selected by the City Council. The standing committee has continuing subject matter jurisdiction, or a meeting schedule fixed by resolution or formal action of the City Council, which must comply with the Ralph M. Brown Act.
  - b. The City Council shall establish standing committees by resolution. Such resolutions shall specify the following:
    - i. the membership of the committee,
    - ii. the manner of appointment and removal of members,
    - iii. the work to be undertaken by the committee,
    - iv. the timeline for the performance of the committee functions, and

- v. other items deemed appropriate by the City Council, such as annual report requirements.

C. Ad Hoc Committees

- a. An “Ad Hoc Committee” may be composed of up to two members of the City Council (i.e., less than a quorum of the City Council), staff, and members of the public.
- b. Ad Hoc Committees do not have continuing subject matter jurisdiction.
- c. Ad Hoc Committees may be formed by motion of the City Council. Members of the Ad Hoc Committee, their appointment and removal, shall also be made by Council.

D. Responsibilities

- a. Each standing committee shall establish regular meeting dates to conduct business, including special meetings, per the requirements of the Brown Act.
- b. Annually, each standing committee shall elect one of its members to serve as the presiding officer or chair. Ad Hoc Committees do not require the appointment of a presiding officer or chair.

E. City Staff

The City Manager shall assign City staff, as deemed reasonable and appropriate, to assist each committee in performing its functions.

F. Rules of Procedure

- a. The conduct of standing committee meetings shall be governed under Rosenberg’s Rules of Order, Revised, and the same rules of policy and procedure as the City Council.
- b. Committee members shall comply with all applicable open meeting and conflict-of-interest laws of the State.

G. Term

- a. The term of office for a standing committee member, unless appointed to an unexpired term caused by the resignation, removal, or other such vacancy, or unless otherwise provided in the resolution creating the standing committee, shall be two years, commencing on February 1st of odd-numbered years.
- b. The term of office of Ad Hoc Committee members shall be for the committee’s life unless otherwise specified by the Council.
- c. Committee members may resign at any time by submitting a written resignation to the City. Resignations are effective upon submittal.

**REFERENCES**



**7.5**





# City of Plymouth

## City Council Meeting

### Staff Report

#### Item 7.5

**Date:**

November 15, 2023

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Determine if the Council would like to reconsider Prop 68 Park Grant Fund allocations

**Issue Statement & Discussion:**

At the November 2, 2023, City Council Meeting, Vice Mayor Sim requested that the City Council consider reconsidering the decision of splitting the Prop 68 Grant funds into 2 projects, one for Lodge Hill and the other for McGee Park.

The City Council previously voted to split the grant funds in half between McGee Park and Lodge Hill. The total amount of the grant is \$177,952, so if you keep the grant funds split in half that would be \$88,976 for each park. That is not a lot for a project of any significance. You can do two very small projects. The projects that are being proposed from the public meetings cannot be funded with \$88,976.

For the Council to reconsider this item, a member of the Council who was in the majority decision the last time this decision was made needs to make the motion to reconsider allocation of Prop 68 funds.

If a majority of the Council approves reconsideration of this, then the substance of the item can be discussed during item 7.6 of tonight's meeting.

**Fiscal Impact:**

There is no fiscal impact for this item.

**Staff Recommendation:**

Staff recommends Council discuss and determine whether to keep the funds as two projects and change it back to being one project.





**7.6**





# City of Plymouth

## City Council Meeting

### Staff Report

#### Item 7.6

**Date:**

November 15, 2023

**Report by:**

Margaret S. Roberts, City Manager

**Policy, Program, Project or Issue Title:**

Discuss the Prop 68 Grant funds and potentially determine the projects for Lodge Hill and McGee Park.

**Issue Statement & Discussion:**

City staff held two citizen participation meetings for input on how to spend the grant funding for the Prop 68 Grant for Lodge Hill and McGee Hill. There were many ideas floated for the two parks.

The ideas from the first meeting were up on the walls when the second meeting started as well as the written comments received prior to the second meeting starting. Then the people provided input and gave additional ideas. Then they began to cross off ideas that they thought would be unrealistic or would cost more than the grant funds. It was suggested that at Lodge Hill to bundle multiple small ideas into one large project. In the end they were each given three dots with 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> choice for projects for each park and they put them on the lists.

Staff tallied the numbers and the final projects for McGee Park are as follows:

- Back entrance/ Handrail steps – Proper slope – ADA with 20 Points
- Permanent Shade Structure with 20 Points
- Pathways with 16 points
- Improved lighting with 9 points
- Move the tables to the upper part of the park (making a party area) with 4 points

Staff tallied the numbers and the final projects for Lodge Hill are as follows:

- Improve immediately inside and around the building to make it a more rentable and attractive element of town – lighting with 22 points
- Walking paths that winds around hill with butterfly plants/native plants/orchard – plaque dedicated to Valerie Klinefelter -with 22 points
- Parking with 12 points
- Create a wedding venue with 9 points
- Horseshoe / Corn Hole with 2 points
- Plan accordingly size wise so pads can later be converted to recreational elements like a full size tennis court, horseshoe courts, bocce ball etc. with 1 point

**Fiscal Impact:**

There is no fiscal impact for this item.

**Staff Recommendation:**

Staff recommends Council discuss the report and provide direction to staff as to whether it would like staff to explore allocating grant funds based on Council direction.

