

AGENDA

CITY OF PLYMOUTH

City Council

REGULAR MEETING

THURSDAY APRIL 25, 2024

Council Chambers
9426 Main Street, Plymouth, California



Marianne Akerland, Mayor

Michael McLaughlin, Vice Mayor

Doug Sim, Council Member

Peter Amoruso, 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
REGULAR MEETING AGENDA
Thursday, April 25, 2024
6:30 PM**

In-person participation by the public is permitted. As an alternative to in-person public comment, members of the public not attending in-person may submit written comments prior to the meeting by emailing your comment to the Deputy City Clerk at 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

Michael McLaughlin, Vice Mayor
Douglas Sim, Council Member

Peter Amoruso, 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.

This meeting will be recorded. Council Chambers are wheelchair accessible. Special accommodation may be requested by contacting the Deputy City Clerk 72 hours before 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 REGULAR MEETING AGENDA OF APRIL 25, 2024

3. PUBLIC COMMENT:

Under provisions of the Government Code, citizens wishing to address the Council for any matter not on the agenda may do so at this time. Please submit a completed Speaker Submittal Form to the Deputy City Clerk. Comments are limited to three minutes or less and speakers are requested to state their name and community of residence. For public comments on agenda items, speakers will be called by the Mayor at the point on the agenda when the item will be heard. The City Council is prohibited from materially discussing or acting 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. PRESENTATIONS/PROCLAMATIONS/APPOINTMENTS: 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 REGULAR MEETING CORRECTED MINUTES OF FEBRUARY 8, 2024
- 5.3 APPROVE THE REGULAR MEETING CORRECTED MINUTES OF FEBRUARY 22, 2024
- 5.4 APPROVE THE REGULAR MEETING MINUTES OF APRIL 11, 2024
- 5.5 ADOPT RESOLUTION NO. 2024-06 APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT ISSUED UNDER THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE (CDBG-CV)
- 5.6 RECEIVE LIST OF CONTRACTS SIGNED BY THE CITY MANAGER IN THE 3rd QUARTER OF 2024

6. PUBLIC HEARINGS: NONE

7. REGULAR AGENDA ITEMS:

7.1 REVIEW THE FIVE-YEAR FISCAL PROJECTIONS

RECOMMENDATION: RECEIVE REPORT AND PROVIDE FEEDBACK

7.2 REVIEW THE POLICY TO REDUCE THE NUMBER OF NOTIFICATIONS FOR LATE WATER PAYMENTS AND PROVIDE POSSIBLE DIRECTION TO STAFF

RECOMMENDATION: PROVIDE FEEDBACK ON THE POLICY AND AUTHORIZE STAFF TO COME BACK WITH THE APPROPRIATE ORDINANCE

7.3 RECEIVE INFORMATION ON THE PARK GRANT AND THE COSTS TO GIVE DIRECTION ON WHICH PROJECT TO COMPLETE FOR MCGEE SHARKEY PARK

RECOMMENDATION: SELECT WHICH PROJECT CHOICES TO HAVE DONE TO EXPEND THE GRANT FUNDS AND PROVIDE DIRECTION FOR FURTHER IMPLEMENTATION

7.4 ESTABLISH AND APPOINT MEMBERS TO AN AD HOC COMMITTEE ON PROPOSED EXPENDITURES AND PROJECTS FOR MCGEE SHARKEY PARK AND PROVIDE DIRECTION TO COMMITTEE

RECOMMENDATION: ESTABLISH AND APPOINT MEMBERS TO THE AD HOC COMMITTEE, 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**
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO SUBDIVISION (D)(2) OF SECTION 54956.9: 1 CASE
 - 9.2 **REPORT OUT 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 72 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 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 April 25, 2024, Regular Meeting of the Plymouth City Council was posted and available for review on April 22, 2024, 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.

Signed at Plymouth, California

//s//

Victoria McHenry
Deputy City Clerk

3

PUBLIC COMMENT

5.1

CORRESPONDENCE



RECEIVED

APR 15 2024

City of Plymouth
Plymouth, CA 95669

48969 3 259 T120 P1
City Of Plymouth
Telecommunications Manager
PO Box 429
Plymouth, CA 95669-0429



The facts about your business phone service

April 10, 2024

Dear Telecommunications Manager,

You received a letter from us in January as required by the California Public Utilities Commission (CPUC) announcing our request to update regulations in California that would help us modernize our network. We wanted to ensure there is no confusion and keep you updated.

Most importantly, we want to assure **you will continue to have full access to your current business phone service and 911.**

What we're planning and what it means for you

While we modernize our fiber-based networks in California, we need to update regulations that haven't changed in decades – despite many technological advances. It will be a multi-year effort to chart a smooth and orderly path to bring customers newer and reliable technologies in the years to come.

We want you to know – as a current customer of business phone service – **you can keep your existing business phone service along with access to 911 services** while we work toward bringing you newer, reliable and affordable voice service in the years ahead.

Our promise to keep you connected

We know expanding access to high-speed connectivity in California is critical so every community across the state can thrive in today's digital world. We also know how important it is to stay connected, especially during natural disasters, such as storms, wildfires and earthquakes. Strong, reliable connectivity is crucial for emergency responders and the communities they support.

Here's our commitment to you to keep you connected:

- **You will keep your existing voice service during this multi-year process.**
- **You will continue to have the ability to make phone calls, including 911.**
- **We will continue expanding fiber and wireless networks in California to bring more reliable and affordable connectivity options.**
- **Any future option available to you as an alternative will be equal or better than what you currently have.**
- **No changes will be made to your service without your knowledge, and we will communicate with you about your options as this process moves forward.**

Ways to connect with us

- **Learn More:** For more information about how we're upgrading California's communications network, you can visit: www.attconnects.com/modernizeCA
- **Ask Questions:** We're also available to answer questions or concerns you may have. Just call us with your billing account number so we can route you to the right expert:
 - 800.321.2000

Thanks for allowing us the opportunity to serve you,



Marc D. Blakeman
President – AT&T California

5.2

Please see the amendments to the 2.8.2024 City Council Regular Meeting Minutes:

The below section is what was originally stated:

8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member White asked to have a discussion to bring back Zoom to participate in meetings.

Upon listening to the audio from the meeting on 2.8.2024 the agenda will now state:

8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member White asked to have a discussion to bring back phoning in as a way to participate in meetings. (No consensus)



**CITY OF PLYMOUTH CITY COUNCIL
REGULAR MEETING MINUTES
Thursday, February 8, 2024
6:30 PM**

In-person participation by the public is permitted. Members of the public not attending in-person may submit written comments prior to the meeting by emailing your comment to the Deputy City Clerk at 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

Michael McLaughlin, Vice Mayor
Douglas Sim, Council Member

Peter Amoruso, Council Member
Keith White, Council Member

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1. CALL TO ORDER/ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

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

STAFF/ADVISORY ABSENT: McLean Sonnenberg, City Clerk, Victoria McHenry, Deputy City Clerk, Joyce Czerwinsky, City Treasurer

Flag Salute Led By: Council Member Amoruso

2. APPROVAL OF CITY COUNCIL REGULAR MEETING AGENDA OF FEBRUARY 8, 2024

A letter was submitted by D.W. "Butch" Cranford requesting that Item 7.1 be tabled.

City Manager Roberts asked that Item 7.3 be heard first.

Motion made by Council Member Amoruso approve the February 8, 2024, Regular Meeting Agenda moving Item 7.3 to become 7.1, second by Vice Mayor McLaughlin. Council Member White requested that we make sure to refer to the lone Band of Miwok Indians by their proper name while addressing

them. Motion passed with a roll call vote of 5-0.

3. PUBLIC COMMENT:

D.W. "Butch" Cranford voiced his disappointment that Item 7.1 was not tabled. He also brought up the issue of Village Drive not being part of the Lone Band of Miwok Indians Trust. Mr. Cranford would like the Council to make sure it is removed from the trust so it can be resubmitted to the State for approval. City Manager Roberts clarified that the City has contacted the appropriate entities to rectify the error of Village Drive being included in the trust.

Jim Wise updated the Council regarding the name additions to the Veteran's Monument. Currently they have about 500 names and he encouraged anyone that has names of District 5 Veterans to please submit them at their earliest convenience. He thanked the many donors and the City for their support and cooperation.

Jon Colburn also voiced the importance of making sure all the names were submitted for the Veteran's Monument. He also thanked Lowes for materials that were donated.

Mike Spinetta from Hawksview brought up the idea of the City possibly having a workshop to discuss the school district consolidation.

4. PRESENTATIONS/PROCLAMATIONS/APPOINTMENTS: NONE

5. CONSENT CALENDAR ITEMS:

5.1 CORRESPONDENCE

5.2 APPROVE THE REGULAR MEETING MINUTES OF JANUARY 25, 2024

5.3 ACCEPT THE WARRANT REGISTER FOR JANUARY 2024

5.4 RECEIVE AND FILE THE ANNUAL AND FIVE-YEAR DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR ENDED JUNE 30, 2023

5.5 ADOPT ORDINANCE NO. 2024-03, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLYMOUTH AMENDING SECTION 2.08.180 INCREASING THE CITY MANAGER'S SPENDING AUTHORITY TO \$20,000

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

6. PUBLIC HEARINGS: NONE

7. REGULAR AGENDA ITEMS:

7.1 DISCUSS AND DETERMINE IF THE COUNCIL WISHES TO GRANT THE REQUEST OF \$10,000 IN TOT MONIES, IN WHOLE OR IN PART, FOR THE FOUR FIRES FOOD AND WINE FESTIVAL EVENT

RECOMMENDATION: DISCUSS AND DETERMINE THE AMOUNT, IF ANY, THE COUNCIL WOULD LIKE TO AWARD TO THE FOUR FIRES FOOD AND WINE FESTIVAL

Tracey Berkner from Rest offered support for the Four Fires Food and Wine Event. She stated it is well attended and those attendees are repeat customers that frequently come back to Plymouth for events.

Megan Van Hook, Interim Executive Director for the Amador Vintners Association answered questions for Council regarding past monies granted. She also mentioned that it would be a fundraiser this year benefitting the Amador County Fairgrounds.

Kathleen Mahan, President of Visit Amador echoed the sentiment of how the event brings so many people to Plymouth and how their attendance would give back to our community.

Mike Spinetta from Hawksview voiced his support for the event and the benefits it would bring to the fairgrounds and to Plymouth.

Jon Colburn said that this event was exactly what the TOT taxes were for and voiced his support of this event.

Motion made by Council Member White, second by Council Member Amoruso to approve to grant \$10,000 in TOT monies for the Four Fires Food and Wine Event. Motioned passed with a roll call vote of 5-0.

7.2 REVIEW AND PROVIDE DIRECTION ON THE TRIBAL INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

RECOMMENDATION: REVIEW AND PROVIDE DIRECTION

After Council discussion it was decided, the Ad Hoc Committee would continue to review this and come back to the February 22, 2024, meeting for further discussion. City Manager Roberts mentioned that there is a webpage the City has set up that is dedicated to this topic and invited the public to comment with their concerns.

7.3 APPROVE AMENDMENTS TO PREVIOUSLY APPROVED CONTRACTS TO ADJUST FOR PREVAILING WAGE FOR AN INCREASE IN THE TOTAL CONTRACT AMOUNT OF \$6,910 FOR TWO CONTRACTS FOR A GRAND TOTAL OF \$33,510 (1-\$23,000 AND 2-\$10,510) AT THE WASTEWATER TREATMENT PLANT (WWTP)

RECOMMENDATION: APPROVE THE AMENDMENTS TO THE CONTRACTS

Motion made by Vice Mayor McLaughlin, second by Council Member Amoruso to approve contracts to adjust for prevailing wage for an increase in the total contract amount of \$6,910 for two contracts for a grand total of \$33,510 at the WWTP. Motion passed with a roll call vote of 5-0.

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

8.1 CITY MANAGER'S REPORT

City Manager Roberts noted that the mandatory pre-bid for the Fire House occurred today and there were many contractors in attendance. She is excited for the project to move forward. She also informed the council she would be taking the week of spring break off to go to Disneyland with her family.

8.2 MAYOR & COUNCIL MEMBERS' REPORTS

Council Member Sim attended the Amador Transportation Council Meeting (ACTC). He mentioned the consolidation has been pushed back for one year. ACTC doesn't know how they will handle the traffic issues.

Council Member White thanked the community for its support during his Mother's battle with cancer. He is happy to report his Mom is in remission now.

Vice Mayor McLaughlin will be out of the country during the next meeting. He and Council Member White will be working on the Ad Hoc Committee to have things ready for the next council meeting.

Mayor Akerland mentioned that ACRA is going to be having a 12-week square dancing course in April.

8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member White asked to have a discussion to bring back phoning in as a way to participate in meetings. (No consensus)

Vice Mayor McLaughlin brought up the issue of whether the City should have some sort of briefing on the consolidation issue.

Mayor Akerland would like to discuss having the positions of City Clerk and Treasurer to be appointed instead of elected.

Council Member Sim brought up the issue of the City Council overseeing the Mello Roos monies from Zinfandel Ridge. He was unaware of this and would like to further discuss the issue. City Attorney Frank Splendorio mentioned that this has been discussed in the past and that Council Member Sim could listen to past meetings for clarification. He advised that if there was a specific issue regarding the monies they should decide and have it put on the agenda.

ADJOURNMENT OF REGULAR MEETING: 7:48 pm

9. CLOSED SESSION

9.1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Section 54956.9(d)(2): 1 case
(continued from the meeting of January 25, 2024)

9.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov Code 54957(b)(1))

Title: City Manager
(continued from the meeting of January 25, 2024)

9.3 REPORT ON CLOSED SESSION

Mayor Akerland reported there was no reportable action from closed session.

10. ADJOURNMENT OF CLOSED SESSION: 8:58 pm

5.3

Please see the amendments to the 2.22.2024 City Council Regular Meeting Minutes:

The below section was moved from the Public Comment section to Item 7.1 Public Comment Section:

Written public comments were submitted by the following: Kenneth R. Williams, Jon Colburn, Amy Gomes, Stephanie Moreno and D.W. Cranford. These comments will be added to the permanent record.



**CITY OF PLYMOUTH CITY COUNCIL
REGULAR MEETING MINUTES
Thursday, February 22, 2024
6:30 PM**

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Marianne Akerland, Mayor

Michael McLaughlin, Vice Mayor
Douglas Sim, Council Member

Peter Amoruso, Council Member
Keith White, Council Member

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1. CALL TO ORDER/ROLL CALL:

COUNCIL MEMBERS PRESENT: Marianne Akerland, Mayor, Peter Amoruso, Keith White

COUNCIL MEMBERS ABSENT: Vice Mayor, Michael McLaughlin, Doug Sim

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

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

Flag Salute Led By: Mayor Akerland

2. APPROVAL OF CITY COUNCIL REGULAR MEETING AGENDA OF FEBRUARY 22, 2024

Mayor Akerland requested to have Item 7.3 tabled. Motion made by Council Member White, second by Council Member Amoruso to approve the meeting agenda with Item 7.3 tabled. Motion passed by a roll call vote 3-0-2 with Vice Mayor McLaughlin and Council Member Sim absent.

3. PUBLIC COMMENT:

Erika Simmons from the Amador Childcare Council came to give us an overview of what they offer.

She also gave notice of two surveys that will give them the data they need to update their needs assessment. The surveys will be linked to the City webpage. She will return this summer to let us know their plan.

Jamie Lubenko from Fiddletown complimented the Public Works Department on how nice the landscaping on the round-a-bout looks.

4. PRESENTATIONS/PROCLAMATIONS/APPOINTMENTS: NONE

5. CONSENT CALENDAR ITEMS:

5.1 CORRESPONDENCE

5.2 APPROVE THE REGULAR MEETING MINUTES OF FEBRUARY 8, 2024

Motion made by Council Member White, second by Council Member Amoruso to approve the consent calendar. Motion passed by a roll call vote 3-0-2 with Vice Mayor McLaughlin and Council Member Sim absent.

6. PUBLIC HEARINGS: NONE

7. REGULAR AGENDA ITEMS:

7.1 REVIEW AND PROVIDE DIRECTION ON A POTENTIAL MEET AND CONFER WITH THE IONE BAND OF MIWOK INDIANS REGARDING THE TRIBAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE CASINO PROJECT

RECOMMENDATION: REVIEW PRELIMINARY LIST OF ISSUES AND PROVIDE DIRECTION TO STAFF TO PROCEED WITH MEET AND CONFER PROCESS WITH TRIBE

D.W. "Butch" Cranford from Plymouth appreciated the thorough staff report. He feels as if the tribe's document is flawed. Mr. Cranford would like the map to be corrected before the Council meets and confers. He stated the information in the report is outdated and strongly recommended the Council not enter into an agreement with the tribe.

Jon Colburn from Plymouth appreciated that the tribe wanted to meet and confer. He brought up several issues in the past that NCIP had with the tribe. Mr. Colburn feels that the tribe will build a bigger casino once they get established.

Jamie Lubenko from Fiddletown stated she owns land that is very close to the tribal land. She questioned if the City, County or State has the authority to change things once the casino had started could they enforce the contract agreements. Ms. Lubenko cited that the well data that the tribe provided was 20 years old. She questioned the impact of three 24-hour pumping wells and how that would affect the agricultural lands around the area. Ms. Lubenko also cited concerns regarding crime, fire, and gambling addiction issues.

Craig Baracco from Foothill Conservancy stated his team is reviewing the documents. He attended tonight to hear feedback from the public. Mr. Baracco urged the Council to meet and confer to try to cooperate with the tribe to come to an agreement.

Mike Lubenko from Fiddletown felt the tribe's report was out of date and incomplete. He wanted the Council to keep the future of Plymouth in mind when making their decision.

Written public comments were submitted by the following: Kenneth R. Williams, Jon Colburn, Amy Gomes, Stephanie Moreno and D.W. Cranford. These comments will be added to the permanent record.

After Council discussion it was decided by consensus to move forward with ongoing analysis and research. The City staff along with the current Ad Hoc Committee to meet and confer with the tribe.

7.2 DISCUSS AND PROVIDE DIRECTION ON SUMMER 2024 POOL OPERATIONS

RECOMMENDATION: PROVIDE DIRECTION ON HOW TO PROCEED WITH SUMMER 2024 POOL OPERATIONS INCLUDING WHETHER CITY SHOULD TAKE OVER OPERATIONS

After discussion the Council decided by consensus to move forward for the City to take over the pool operations.

7.3 RECEIVE AND DISCUSS MID-YEAR BUDGET REVIEW AND CONSIDER MID-YEAR ADJUSTMENTS

RECOMMENDATION: APPROVE MID-YEAR BUDGET ADJUSTMENTS

This Item was tabled.

8. COUNCIL/STAFF COMMUNICATIONS

8.1 CITY MANAGER'S REPORT

City Manager Roberts noted that she would be out of town for the 3/14/2024 meeting. She stated that bid openings for the Fire Station Project would take place next Thursday, and the award of the bid would come to the Council at the 3/14/2024 meeting. Weber Ghio will be at that meeting to make the presentation. City Manager Roberts announced that the Amador County Fair has announced this year's theme of "Going for the Gold!". She stated that the City would be reaching out to the Ambassadors to see if they would like to volunteer to decorate our City window like last year. The City is planning a family event in the park on April 13th.

8.2 MAYOR & COUNCIL MEMBERS' REPORTS

Council Member White noted that it is National Future Farmers of America Week. He stated that his Mother was the first female FFA Member in Amador County.

8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Mayor Akerland would like to discuss having the positions of City Clerk and Treasurer to be appointed instead of elected. City Manager Roberts said that she is working on bringing this issue back to the Council soon. Mayor Akerland also asked to revisit and follow up on the discussion about the 49er Village and possible solutions to address the issue of stays vs. permanent residences.

9. CLOSED SESSION: NONE

10. ADJOURNMENT: 7:46 pm

5.4



**CITY OF PLYMOUTH CITY COUNCIL
REGULAR MEETING MINUTES DRAFT
Thursday, April 11, 2024
6:30 PM**

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1. CALL TO ORDER/ROLL CALL:

COUNCIL MEMBERS PRESENT: Marianne Akerland, Mayor, Peter Amoruso, Doug Sim, Keith White

COUNCIL MEMBERS ABSENT: Vice Mayor, Michael McLaughlin

STAFF/ADVISORY PRESENT: Margaret Roberts, City Manager, Joanna Gin, 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 Sim**

2. APPROVAL OF CITY COUNCIL REGULAR MEETING AGENDA OF APRIL 11, 2024

Motion made by Council Member Amoruso, second by Council Member Sim to approve the meeting agenda of April 11, 2024, as presented. Motion passed by a roll call vote 4-0-1 with Vice Mayor McLaughlin absent.

3. PUBLIC COMMENT:

Amy Gomes from Plymouth submitted written public comment requesting Zoom or phone in participation be reinstated during council meetings.

Michael Spinetta from Plymouth spoke about having facts straight before you have a poll about a subject. He also added to Ms. Gomes written comment with additional paperwork he felt was omitted from Ms. Gomes original comment.

4. PRESENTATIONS/PROCLAMATIONS/APPOINTMENTS: NONE

5. CONSENT CALENDAR ITEMS:

5.1 CORRESPONDENCE

There was correspondence sent from PG&E and Comcast.

5.2 APPROVE THE REGULAR MEETING MINUTES OF MARCH 25, 2024

5.3 ACCEPT THE MARCH WARRANT REGISTER

5.4 ADOPT RESOLUTION NO. 2024-05 CONDEMNING ANTISEMITISM

Motion made by Council Member Sim, second by Council Member Amoruso to approve the consent calendar as presented. Motion passed by a roll call vote 4-0-1 with Vice Mayor McLaughlin absent.

6. PUBLIC HEARINGS: NONE

7. REGULAR AGENDA ITEMS:

7.1 RECEIVE INFORMATION ON THE PARK GRANT AND THE COSTS TO GIVE DIRECTION ON WHICH PROJECT TO COMPLETE FOR MCGEE PARK

RECOMMENDATION: SELECT WHICH PROJECT CHOICES TO HAVE DONE TO EXPEND THE GRANT FUNDS AND PROVIDE DIRECTION FOR FURTHER IMPLEMENTATION

Michael Spinetta from Plymouth reminisced of past projects combining Sharkey and McGee Parks. He would like to see future improvements that benefit everyone. Mr. Spinetta brought up multiple ideas for improvements.

After council discussion it was decided by consensus to table this item until the next City Council Meeting on April 25, 2024.

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

8.1 CITY MANAGER'S REPORT

City Manager Roberts reminded everyone of the Spring Family Fun Day on April 13th. It will be moved into City Hall due to the rain forecast. She announced that Public Works will be purchasing a cleaning robot to take over vacuuming the pool. City Manager Roberts said the City is gearing up to take over the pool and mentioned the online survey about swim lessons. She said that Signal Service is going to be installing security upgrades at City Hall beginning April 22nd. City Manager Roberts also stated that RFPs for IT services were going out April 12th.

8.2 MAYOR & COUNCIL MEMBERS' REPORTS

Council Member White apologized to the community for approving minutes to a meeting that he hadn't thoroughly read. City Manager Roberts noted that the minutes will be corrected and brought back at

the next meeting for approval. Mayor Akerland commended Council Member White's character for having the integrity to apologize.

Mayor Akerland noted that she and City Manager Roberts met with the Department of Homeland Security today. They were educated about cyber security and safety training available to the City staff.

8.3 COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS: NONE

9. CLOSED SESSION: NONE

10. ADJOURNMENT: 7:37 pm

DRAFT

5.5



CITY COUNCIL AGENDA ITEM NO. 5.5

04/25/2024

SUBJECT: Amendment to the CDBG-CV-2-3 Grant

DEPARTMENT: City Manager's Office

STAFF: Margaret S. Roberts, City Manager

TITLE

ADOPT RESOLUTION No 2024-06 APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT ISSUED UNDER THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONA VIRUS RESPONSE (CDBG-CV)

BACKGROUND

City staff is requesting additional funding through an amendment request for \$65,000 to be able to complete all aspects of the Fire Station Improvement Project. The parts that were not awarded with the original contract were re-doing the roof and installing an exhaust system in the apparatus bay. The additional \$65,000 with funds left from the CDBC-CV2-3 awards will be sufficient to do both of those tasks.

ENVIRONMENTAL DETERMINATION

This is not a "project" under Section 15378 of the California Environmental Quality Act (CEQA) Guidelines.

FISCAL IMPACT

Should the amendment be awarded, the City would be granted \$65,000 to complete all aspects of the Fire Station Improvement Project.

RECOMMENDATION

Adopt the Resolution as part of the Consent Calendar

ATTACHMENT(S)

1. Resolution

CITY OF PLYMOUTH FIREHOUSE IMPROVEMENTS

CONSTRUCTION AGREEMENT

THIS AGREEMENT made and entered into on April 15th, 2024, by and between the **City of Plymouth, California** (hereinafter referred to as CITY), and **Laguna Gold Mortgage, Inc. DBA LGM Construction, Contractor**, (hereinafter referred to as CONTRACTOR), or under the authority of the Public Contract Code of the State of California.

The parties hereto mutually agree as follows:

For and in consideration of the mutual promises and other valuable consideration set forth herein, receipt of which is hereby acknowledged, City agrees to employ Contractor and Contractor agrees to furnish all materials and labor for the prescribed work; perform and complete in good and workmanlike manner all the work pertaining thereto shown on the exhibits and specifications therefore; to furnish at his sole cost and expense all materials, tools, equipment and facilities, and all labor and services necessary therefore (except such materials, if any, which under the specifications are to be furnished by the City), and to do everything required by this Agreement and said exhibits and specifications, including but not limited to the payment of prevailing wages as required by state law.

Contractor is responsible for furnishing all said materials and labor, tools and equipment, and doing all the work contemplated and embraced in this Agreement, also for all loss and damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work, except such as in the said specifications are expressly stipulated to be borne by the City. For well and faithfully completing the work and the whole thereof, in the manner shown and described in said exhibits and specifications, the City will pay, and the Contractor shall receive in full compensation therefore the lump sum price, or if the bid is on the unit price basis, the total price for the several items furnished pursuant to the specifications, named in the base schedule of the Proposal in the amount of **\$187,345.75**.

The Notice to Contractors, Proposal, and Specifications are hereby incorporated into and made a part of this Agreement by reference as if fully set forth.

Civil Code Section 3247 requires every Contractor that receives a public works contract to file a payment bond and performance bond with the awarding agency for the agency's review and approval. It is the public agency's mandatory duty to ensure that the general Contractor's payment bond surety meets the requirement of Code of Civil Procedure 995.310.

The City requires that the Contractor submit verification from the California Insurance Commissioner of the surety's certificate of authority to issue such bonds. If the surety is

not admitted or the certificate is unavailable, the agency must reject the bonds and the proposed contract unless and until the Contractor furnishes bonds provided by an admitted surety insurer or by otherwise sufficient sureties. Verification from the California Insurance Commission must be received, along with the bonds, before work begins, or no payment shall be made to Contractor.

Contractor shall submit a detailed schedule of work at the pre-construction conference for approval by the City Engineer. This contract shall not take effect and no payment shall be made to Contractor until that schedule is submitted and approved.

If Contractor fails to complete the work in accordance with the schedule set forth in the specifications and/or accordance with Section 4 of Section II, Supplemental General Conditions, of the project specifications, Contractor shall be liable for liquidated damages pursuant to Section II-4.03, for each day of delay. Liquidated damages accrued shall be deducted from compensation due the Contractor and retained by City.

All certificates of insurance, policy endorsements, and all other certificates required by the specifications shall be on file with the City before work begins or no payment will be made to Contractor.

This is a public works contract within the meaning of Part 7 of Division 2 of the California Labor Code (Sections 1720 and following), and a Department of Labor prevailing wage contract and the Contractor and **any subcontractor under him** shall pay not less than the highest specified prevailing rates of wages to all workmen employed and be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations and the Department of Labor Davis Bacon Requirements. By this reference, Attachment B1 "Labor Compliance Information" is made part of and included in this contract.

IN WITNESS WHEREOF, the Parties hereto have caused this contract to be executed the day and year first above written.

CITY OF PLYMOUTH

LAGUNA GOLD MORTGAGE, INC.
DBA LGM CONSTRUCTION

By Margaret Roberts 04-01-24
Date

By [Signature] 3-22-24
Date

ATTEST:

Victoria McHenry

REVISED BID SUMMARY
CITY OF PLYMOUTH - FIREHOUSE IMPROVEMENTS
2/14/2024

BASE BID:

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Task A – Apparatus Bay Ceiling in accordance with the exhibits and specifications	\$ 6,790.69	\$ 6,790.00
2.	1 LS	Task B – Front Wall Repairs in accordance with the exhibits and specifications	\$ 47,981	\$ 47,981.00
3.	1 LS	Task C – Remodel Laundry in accordance with the exhibits and specifications	\$ 8,534	\$ 8,534.00
4.	1 LS	Task D – Flooring in accordance with the exhibits and specifications	\$ 6,413	\$ 6,413.00
5.	1 LS	Task E – Exterior Painting in accordance with the exhibits and specifications	\$ 17,407	\$ 17,407.00
6.	1 LS	Task F – Interior Painting in accordance with the exhibits and specifications	\$ 12,444	\$ 12,444.00
7.	1 LS	Task G – Backup Generator in accordance with the exhibits and specifications	\$ 19,426	\$ 19,426.00
8.	1 LS	Task H – Hose Drying Rack in accordance with the exhibits and specifications	\$ 18,807	\$ 18,807.00
9.	1 LS	Task I – Reznor Heater Control in accordance with the exhibits and specifications	\$ 779	\$ 779.00
10.	1 LS	Task J – ADA Parking - Path Of Travel - Signage in accordance with the exhibits and specifications	\$ 8,513	\$ 8,513.00
TOTAL:				\$ 147,092.00

Actual Total: \$147,094.00

Additive Alternate #1A – Roof Framing Repairs

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Composition Shingle Roofing Replacement in accordance with the exhibits and specifications	\$ 40,251.75	\$ 40,251.75
TOTAL:				\$ 40,251.75

Additive Alternate #1B – Roof Framing Repairs

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Composition Shingle Roof Overlay in accordance with the exhibits and specifications	\$ 30,880.50	\$ 30,880.50
TOTAL:				\$ 30,880.50

Additive Alternate #2 – Exhaust System

Item	Quantity	Description	Unit Price	Total Price
1.	1 LS	Exhaust System in accordance with the exhibits and specifications	\$ 40,125.86	\$ 40,125.86
TOTAL:				\$ 40,125.86

CONTRACTORS NAME: LGM Construction



CDBG-CV Request for Additional Funds

Grantee:	
Award/Contract Number:	

In the space below, provide a brief description of increased costs, unmet needs, and any efforts to reduce scope to meet original budget. Narrative must demonstrate that the eligible activity and national objective may only be met with additional resources.

Please accept this official notice that our CDBG-CV funded construction project has experienced cost over-runs, and in accordance with the HCD Memorandum regarding CDBG CARES Act Allocation of Remaining Funding dated November 15, 2023, we are requesting additional CDBG-CV funds to fill our remaining unmet need to allow the completion of our project/program.

With this request we are providing the following documentation to support this request. (Check all that apply.)

<input type="checkbox"/>	Original Duplication of Benefits Tracker or Budget as included in original funding application to document original project cost.
<input type="checkbox"/>	Revised Duplication of Benefits Tracker/Budget documenting new, increased project cost, any new funding sources other than CDBG funds that have been committed, and the gap CDBG-CV funding that is being requested.
<input type="checkbox"/>	Supporting documentation of cost increases such as contractors' bid documents, engineer's estimates, bid responses, material cost invoices, etc.
<input type="checkbox"/>	Revised NEPA Environmental Review Record to reflect new Not to Exceed award amount (as applicable)
<input type="checkbox"/>	Resolution by local jurisdiction to increase the amount of CDBG-CV requested (as applicable and if exceeding original resolution authorization)



Based on the information provided, this project is requesting an additional \$ _____ in CDBG-CV funds to fill the documented financial gap. We recognize that funds will be allocated based on the priorities established in the Memorandum regarding CDBG CARES Act Allocation of Remaining Funding, and HCD will conduct an additional Duplication of Benefits review prior to reallocating funds.

Please let us know if there is any additional information you may need.

Name of Official Designated in Resolution:	Title of Designated Official:
Signature of Designated Official:	Date:

**CDBG-CV Allocation of
Remaining Funding –
Jurisdiction Resolution**

1

Resolution of the City of Plymouth

RESOLUTION NO. 2024-06

**A RESOLUTION APPROVING AN AMENDMENT TO THE STANDARD
AGREEMENT ISSUED UNDER THE 2020 COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS
RESPONSE (CDBG-CV)**

BE IT RESOLVED by the City Council of the City of Plymouth as follows:

SECTION 1:

The City Council, has reviewed and hereby approves the submission to the State of California (“State”) of a Request for Additional Funds to fill gaps created by documented unanticipated cost increases. The funds would be added to its existing CDBG-CV Standard Agreement(s) with the State numbered #20-CDBG-CV2-3-00370 and 20-CDBG-CV2-3-00371 (the “Standard Agreement(s)”) pursuant to the State’s June 2020 CDBG-CV1 Notice of Funding Availability; December 2020 CDBG-CV2 and CV3 Notice of Funding Availability (NOFA); and/or the CDBG Method of Distribution as described in the State of California 2019-2020 Annual Action Plan August 2020 Second Substantial Amendment and the CDBG-CV Method of Distribution as described in the State of California 2019-2020 Annual Action Plan August 2020 Fifth Substantial Amendment.

The *City* previously approved the use of \$204,994.00 of Program Income for this CDBG-CV activity which was included in the 20-CDBG-CV2-3-00370 and 20-CDBG-CV2-3-00371 and by this resolution will request an additional amount not-to-exceed \$65,000 for a total commitment of \$269,994.00 of CDBG-CV Income.

List of Activity Funding:

Current Authorized amount(s) under Standard Agreement #20-CDBG-CV2-3-00370 and 20-CDBG-CV2-3-00371:

- CDBG-CV: \$204,994.00
- Program Income:
- Total: \$204,994.00

Amount of new CDBG-CV funds to be added to Standard Agreement #20-CDBG-CV2-3-00370 and 20-CDBG-CV2-3-00371: \$65,000

**CDBG-CV Allocation of
Remaining Funding –
Jurisdiction Resolution**

2

- CDBG Not to exceed \$65,000
- Program Income:
- Total: \$65,000

Total amount of amended Standard Agreement ##20-CDBG-CV2-3-00370 and 20-CDBG-CV2-3-00371:

- CDBG Grant Not to exceed \$269,994.00
- Program Income:
- Total: \$269,994.00

(Add as many tables as necessary to document the requested amendment. Include associated budget changes, if any.)

SECTION 2:

The City acknowledges compliance with all state and federal public participation requirements with respect to the proposed amendments to the Standard Agreement described in Sections 1 above.

SECTION 3:

The City hereby authorizes and directs the City Manager, or designee, to execute and deliver all application(s), "Request(s) for Additional Funds," and/or amendments to the Standard Agreement and act on the City's behalf in all matters pertaining to all such application(s), "Request(s) for Additional Funds," and/or amendments.

SECTION 4:

If an amendment to the Standard Agreement is approved as contemplated above, the City Manager, or designee*, is authorized to enter into, execute, and deliver an amendment to the Standard Agreement and any and all other documentation which may be required by the State from time to time for the purposes of this grant.

**CDBG-CV Allocation of
Remaining Funding –
Jurisdiction Resolution**

SECTION 5:

If an amendment to the Standard Agreement is approved, the City Manager, or designee*, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with this grant.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Plymouth held on April 25, 2024, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Marianne Akerland
Mayor

**CDBG-CV Allocation of
Remaining Funding –
Jurisdiction Resolution**

4

STATE OF CALIFORNIA

City of Plymouth

“I, Victoria McHenry, Deputy City Clerk of the City of Plymouth, State of California, hereby certify that (i) the above and foregoing is a full, true, and correct copy of a resolution duly adopted by said City Council, on this 25th day of April, 2024; (ii) such resolution has not been amended, modified, repealed or rescinded since the date of its adoption; and (iii) such resolution remains in full force and effect.”

Victoria McHenry, Deputy City Clerk City of Plymouth,
County of Amador, State of California

By: _____
Victoria McHenry, Deputy City Clerk

(Note: The attesting officer cannot be the person identified in the Resolution as the authorized signer.)

5.6



City of Plymouth, CA

M E M O R A N D U M

DATE: April 25, 2024

TO: City Council

FROM: Margaret S. Roberts, City Manager

SUBJECT: Third Quarter Contracts

As required I am submitting the contracts signed by me during the third quarter of the fiscal year.

NV5 – Semiannual/Annual Groundwater Reporting for the Wastewater Treatment Plant for \$9,200.

Total amount of all contracts	\$9200.00
--------------------------------------	------------------



December 27, 2023

Via Email

Ms. Cathleen Johnson
City of Plymouth
9426 Main Street
Mailing Address P.O. Box 429
Plymouth, CA 95669

RE: Proposal for Semiannual/Annual Groundwater Reporting Efforts for the Plymouth WWTP 2024 Reports due in January & July 2024 and January 2025

Dear Ms. Johnson:

NV5 over the last several years has prepared the monitoring reports and completed a statistical and water quality assessment as per the wastewater treatment plan permit requirements. The facility has seven wells in the ground water monitoring network with well depths that do not exceed 70 feet. With the new Waste Discharge Requirements/Monitoring and Reporting Program (WDR/MRP) the sampling frequency is now semiannual with five semiannual parameters and an extensive list of annual parameters to be collected. A dedicated pump system was installed in all wells in 2016 to include MW-7. Ongoing routine reporting efforts are required.

SCOPE OF SERVICES

TASK 1 – Field Work Support – 2024 Training of New Staff

NV5 will assist as requested by the City for training and guidance. Liaison and correspondence with the regulator are included.

TASK 2 – 2024 Semiannual Reporting

NV5 will draft and submit a report describing the work completed under the SAP and as per the WDRs. This report will describe the methods and materials used during the field work and any changes implemented in the sampling procedures. The submittal date for the report is planned for semiannual reports

Ms. Johnson
December 27, 2023
Page 2 of 2

are for the remaining items in January 2024, full report in July 31, 2024 and January 31, 2025. This effort does not include the anti-degradation analysis; however the background water quality report findings will be included.

COMPENSATION

We have carefully reviewed the work effort. The cost proposal is based on an estimated labor fee not to exceed the amount of \$9,200 without approval. The labor rates of \$195 per hour for Project Manager, \$135 per hour for a Project Geologist, \$110 for a Staff Scientist will be used. This estimate does not include the cost associated with the field sampling or laboratory costs. The statistical assessment effort has been included.

Task 1 - Field Work Support and Regulatory Liaison	\$ 1,000
Task 2 – 2024 Reporting (two reports)	\$ 8,200

NV5 again appreciates the opportunity to assist you with this project. If this meets your approval, we will proceed with your authorization and appropriate contracting documents. Call if you have any questions.

Sincerely,
NV5



Patrick F. Dunn, M.S., P.G., C.Hg.
Hydrogeologist

Approved by: Margaret A Roberts
03.31.2024

7.1

THIS ITEM IS BEING PULLED FROM THE THE AGENDA

7.2



CITY COUNCIL AGENDA ITEM NO. 7.2

04/25/2024

SUBJECT: Review the plan to reduce the number of late water notices.

DEPARTMENT: City Manager's Office

STAFF: Margaret S. Roberts, City Manager

TITLE

REVIEW THE PLAN TO REDUCE THE NUMBER OF NOTIFICATIONS FOR LATE WATER PAYMENTS

BACKGROUND

For residential water customers, the City currently sends out four late notices within 15 days of each other before water is shut off. These notices start five days after the bills are sent out. With the passage of SB 998 in 2018, only seven business days' notice must be given to residential customers. The City would save an enormous amount of time, not to mention costs in supplies and postage. The typical cost for postage for notices is \$51.75, the other notices take manpower in the office and in the field to hand deliver the notices to each door.

At the request of Council, staff is bringing forward proposed policy changes for input before introducing an ordinance that amends Plymouth Municipal Code sections related to notice requirements before residential water shutoff occurs.

ENVIRONMENTAL DETERMINATION

This is not a "project" under Section 15378 of the California Environmental Quality Act (CEQA) Guidelines.

FISCAL IMPACT

If approved there would be cost savings in staff time, supplies and materials.

RECOMMENDATION

Provide feedback on the policy and authorize staff to come back with the appropriate ordinance



CITY COUNCIL AGENDA ITEM NO. 7.2

04/25/2024

ATTACHMENT(S)

1. Policy CC-058



RESIDENTIAL WATER SERVICES DISCONTINUATION POLICY		CC-058
CITY POLICY	Effective Date: 03/26/2020	Revised Date:

PURPOSE

This policy enumerates the City of Plymouth's administrative actions for the collection of residential delinquent accounts, including notifications, charges, and discontinuation of water service. This policy will be made available to the public on the City's website.

As an urban or community water system that supplies water to more than 200 service connections, the City is governed by Senate Bill No. 998 (Chapter 891, Statutes of 2018) Water Shutoff Protection Act, which applies to residential customers.

1) General

- a) This Policy applies only to disconnection of residential water service for nonpayment. The City's existing ordinances, resolutions, policies, and procedures shall continue to apply to non-residential water service accounts and to disconnection of residential water service for other reasons, including the termination of a service connection by the City due to a customer violation of any other ordinance, rule, regulation, or policy of the City. In the event of any conflict between this Policy and any other ordinance, rule, regulation, or policy of the City, this Policy shall prevail. In the event of any conflict between this Policy and state law, state law shall prevail.
- b) **Customer Responsibility:** Under applicable City ordinances, resolutions, policies, and procedures, bills for water service are rendered to each customer on a monthly basis. Bills are due and payable on the first day of the month following the close of the billing period. Accounts shall be delinquent if not paid within fifteen days from that date. For delinquencies, a penalty of ten (10) percent of the balance due for that billing period shall be charged. It is the customer's responsibility to ensure that payments are received at the City's office in a timely manner. Payment may be made to the City's office, online, by phone or to the address for remittance of mailed payments.
- c) **Availability of Policy:** The City shall provide this Policy and all written notices given under this Policy in English, Spanish and in any other language spoken by at least 10 percent of the people residing in the City's service area or required by Civil Code section 1632. This Policy shall be posted and maintained on the City's internet website.
- d) **Contact Telephone Number:** The City can be reached at (209) 245-6941 Ext 258 for assistance concerning the payment of water bills and to discuss options for stopping disconnection of residential service for nonpayment.

2) Disconnection of Residential Water Service for Nonpayment.

- a) **60-day Delinquency Period:** The City shall not disconnect residential water service for nonpayment of a service bill until a customer's payment has been delinquent for 60 days.
 - b) **7-Day Notice:** Not less than seven (7) business days before disconnection of residential service for nonpayment, the City shall contact the customer named on the account by written notice. If mailing address is different from property address, the notice will be placed in a conspicuous location at the property.
 - 1) The notice will include:
 - I. Customer's name and mailing address
 - i. "Occupant" will take place of customer's name and mailing address if placed at the property
 - II. Amount of the delinquency
 - III. Date by which payment or arrangement for payment is required in order to avoid disconnection of residential water service
 - IV. A description of the process to apply for an extension of time to pay the delinquent charges
 - V. A description of the procedure to petition for bill review and appeal
 - VI. A description of the procedure by which the customer may request a deferred, reduced or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with this Policy.
 - VII. The City's telephone number, business & mailing address, website and hours of operation of the City.
 - 2) If mailing of the written notice is returned through the mail as undeliverable, the City shall place in a conspicuous place a notice of imminent disconnection of residential service for nonpayment.
 - c) **Service Restoration information:** Upon disconnection, the City shall provide the customer with information on how to restore residential service, which will require payment of the full balance on account and a reconnection fee of up to \$50 during regular business hours.
- 3) **Restrictions on Disconnection of Water Service:**
- a) The City shall not disconnect residential water service for nonpayment of a service bill until a customer's account has been delinquent for 60 days
 - b) The City shall not disconnect residential service in any of the following situations:
 - I. During the time that the City is investigating a customer dispute or complaint under Section 7 of this Policy,
 - II. When a customer has been granted an extension of the period for payment of a bill.

- c) The City shall not disconnect residential service if **ALL** of the following conditions are met:
 - I. The customer, or a tenant of the customer, submits to the City the certification of a primary care provider, as defined in section 14088(b)(1)(A) of the Welfare and Institutions Code, that disconnection of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the property where residential service is provided.
 - II. The customer demonstrates that he or she is financially unable to pay for residential service within the City of Plymouth's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the City of Plymouth's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
 - III. The customer is willing to enter into an alternative payment arrangement, consistent with the provisions of Section 4 of this Policy.
- d) The City is prohibited from terminating water service to any customer or tenant of a customer on any Saturday, Sunday, legal holiday, or outside of its normal operating hours.
- e) Residential Customers who are 65 years of age or older, or who are dependent adults as defined in Welfare and Institutions Code section 15610.23 shall be notified that they may request the City notify a designated third person when the Customer's account is past due and subject to termination.

4) **Alternative Payment Arrangements**

- a) Options: Upon request, the City will consider the following options with a delinquent customer to avert discontinuation of residential service for nonpayment:
 - I. Amortization of the unpaid balance
 - II. Participation in an alternative payment schedule
 - III. A partial or full reduction of the unpaid balance, financed without additional charges to other ratepayers
 - IV. Temporary deferral of payment
 (Collectively "Payment Arrangements.")
- b) City Administration: The City Manager, or his or her designee, may choose which option of the Payment Arrangements described in Section 4(a) to proceed with. Ordinarily, the Payment Arrangement offered should result in

payment of any remaining outstanding balance within 12 months. The City may charge an administrative fee for the cost of administering Payment Arrangements under the provision. The City Manager, or his or her designee, is authorized to prepare and approve a Payment Arrangement Agreement with a customer consistent with this Section 4.

- c) **Customer Obligations:** If the City and customer enter into a Payment Arrangement under this Section 4, the customer shall comply with the agreement or other arrangement and remain current on any new water service charges as they are billed in reduction of any unpaid charges on subsequent bills while paying delinquent charges under an alternative payment arrangement. Commencing on the date the first payment arrangement is entered into, customers who fail to comply with any agreed payment arrangement will not be eligible to establish future payment arrangements for a period of 24 months, except as otherwise prohibited by law.

5) Disconnection After Failure to Comply with Alternative Payment Arrangements

- a) If the City and customer enter into any Payment Arrangement under Section 4, the City may disconnect service no sooner than five (5) business days after the City posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:
 - I. The customer fails to comply with the Alternative Payment Arrangements
 - II. Temporary deferral of payment
- b) The notice of termination under this Section 5 shall include all of the following information:
 - I. The customer's name and address
 - II. Notice of the customer's noncompliance with the Payment Arrangement
 - III. The Payment Arrangement or other conditions the customer must satisfy in order to avoid termination
 - IV. The City's telephone number, business & mailing address, website and hours of operation of the City.

6) Disconnection in Master Meter Landlord-Tenant Situations

- a) **Applicability:** This section applies to City service through an individual meter to a detached single-family dwelling, a multi-unit residential structure, mobile home park, or permanent residential structure in a labor camp, only if the owner, manager or operator is the customer of record, and there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the building.

- b) Notice: The City shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least ten (10) days prior to the termination. This notice shall further inform the residential occupants that they have the right to become City customers, to whom the service will then be billed, without being required to pay any amount which may then be due on the delinquent account.
- c) Service to Occupants: The City is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of City water service and meets the requirements of law and the City ordinances, rules, regulations, and policies. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the City, or if there is a physical means legally available to the City of selectively terminating service to those residential occupants who have not met the requirements of the City's ordinances, rules, regulations, and policies, the City shall make service available to those residential occupants who have met those requirements. A lease or rental agreement is required.
- d) Proof of Credit: If prior service for a period of time is a condition for establishing credit with the City, residence and proof of prompt payment of rent or other credit obligation acceptable to the City for that period of time is a satisfactory equivalent.
- e) Detached Single-Family Dwellings: In the case of a detached single-family dwelling, the City may do any of the following:
 - I. Give notice of termination at least seven (7) days prior to the proposed termination
 - II. In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. The waived amount may be applied to the Tax Roll.

7) **Procedure to Contest or Appeal a Bill**

A customer may appeal or contest the amount set forth in any bill for residential water service pursuant to the following procedure:

- a) General Appeal: Within five (5) days of receipt of the bill for water service, a customer has a right to request an appeal or review of any bill or charge rendered by the City. The request must be made in writing and be delivered to the City office. For so long as the customer's appeal and any resulting investigation is pending, the City cannot disconnect water service to the customer
- b) 7-Day Notice Appeal: In addition to the appeal rights under subsection (a) above, a customer who receives a 7-Day Notice described in Section 2(c)

of this Policy may request an appeal or review of the bill to which the notice relates within five business days of the date of notice. However, no such appeal or review rights shall apply to any bill for which an appeal or request for review under subsection (a) above, has been made. Any appeal or request for review under this subsection must be in writing and request for an appeal must be delivered to the City's office within five-day period. For so long as the customer's appeal and any resulting investigation is pending, the City cannot disconnect water service to the customer.

c) Appeal Process:

- I. Following receipt of a request for an appeal or review under subsections (a) or (b), above, the City Manager, or his or her designee shall evaluate the request for review and supporting material provided by the customer the information on file with the City concerning the water charges in question. Within 10 days after receipt of the customer's request for review, The City Manager, or his or her designee shall render a decision as to the accuracy of the water charges set forth on the bill and shall provide the appealing customer with a brief written summary of the decision.
- II. If water charges are determined to be incorrect, the City will provide a corrected invoice and payment of the revised charges will be due within 10 calendar days of the invoice date for revised charges. If the revised charges remain unpaid for more than 60 calendar days after the corrected invoice is provided, water service will be disconnected. Prior to disconnection, the City shall provide the customer with the 7-Day Notice in accordance with Section 2(c), above. Water service will only be restored upon full payment of all outstanding water charges, penalties, interest, and any applicable reconnection charges.
- III. If the water charges in question are determined to be correct, the water charges are due and payable within 3 business days after receipt of the City Manager's, or his or her designee's, decision. At the time the decision is rendered, the customer will be advised of the right to further appeal to the City Clerk within 30 days of the date the account becomes delinquent, or within 10 days after the receipt of the denial from yhe City Manager, or his or her designee, whichever is later. The City Manager, or his or her designee will issue a written determination within 15 days. Any such appeal must be filed in writing within 10 business days after receipt of the City Manager, or his or her designee decision. The appeal hearing will occur before an impartial hearing officer, as selected by the City Manager, within a reasonable time.

- IV. If the customer does not timely appeal, the water charges in question shall be immediately due and payable. In the event the charges are not paid in full within 60 calendar days after the original billing date, then the City shall provide customer with the 7-Day Notice in accordance with Section 2(c), above, and may disconnect water service to the customer's property if the outstanding bill is not timely paid.
 - V. When a hearing is requested, the customer will be required to personally appear before the hearing officer if physically able, and present supporting material and reasons as to why the water charges on the bill in question are not accurate. The hearing officer shall evaluate the evidence presented by the customer, as well as the information on file with the City concerning the water charges in question (including the City Manager's, or his or her designee's decision) and any staff presentation, and render a decision as to the accuracy of the charges. The decision shall be final and binding.
 - VI. If the Hearing Officer finds that the water service charges in question are incorrect, the customer will be invoiced for the revised charges. If the revised charges remain unpaid for more than 60 calendar days after the corrected invoice is provided, water service will be disconnected, on the next regular working day after expiration of the period. The City shall provide the customer with the 7-Day Notice in accordance with Section 2(c), above, and may disconnect water service to the customer's property if the outstanding bill is not timely paid
- d) Any overcharges due from the City will be reflected as a credit on the next regular bill to the customer.
 - e) Water service to any customer shall not be disconnected at any time during which the customer's appeal to the City Manager, his or her designee, or Hearing Officer is pending.

Previously Policy # 2020-01

7.3



SUBJECT: Park grant project choices for McGee Sharkey Park.

DEPARTMENT: City Manager’s Office

STAFF: Margaret S. Roberts, City Manager

TITLE

RECEIVE INFORMATION ON THE PARK GRANT AND THE COSTS TO GIVE DIRECTION ON WHICH PROJECT TO COMPLETE FOR MCGEE SHARKEY PARK

BACKGROUND

Previously staff held two workshops. Residents emailed in comments, and those present gave their ideas on what projects should be done at McGee Sharkey Park and Lodge Hill Park. They thought it would be better to spend the money all at one park for a better project. They ranked the projects from 1-3 at each location. The projects were then brought to the City Council. The City gave their input and gave staff direction to get cost estimates on several options. The total grant funds available for the project are \$179,000, with a deadline of 07/01/2026. This item came to the City Council on April 11, 2025 for discussion and the Council asked that the item be brought back to the April 25, 2024 meeting when the entire Council would be present.

Option 1: ADA access from Landrum Street. It would include a pathway of travel including stairs and ramps and handrails. The cost of this option is \$152,292.50.

Option 2: Bathroom remodel. Including making the restrooms larger, with new sinks. The cost of this option is \$68,000.00.

Option 3: Play Area Upgrade. This would include surface area replacement with safety soft surface and a 4-foot-tall black cyclone fence. The cost of this option is \$260,332.00, which is over the grant amount.

Option 4: Bench Seat around a tree: This would entail placing a bench around a tree with seating providing additional seating. The cost of this option is between \$5,000-\$7,500 to complete.



CITY COUNCIL AGENDA ITEM NO. 7.3

04/25/2024

As you can see the costs vary and one project came in over the grant funds. The Council could decide to combine projects or give direction to do something different. In order to meet the grant deadline of 06/30/2028, the Council would need to make a decision by 01/01/2028 to allow sufficient time to bid out the project and complete construction.

After contacting the State Department of Parks and Recreation and speaking to the administrator for the 2018 Parks Bond Act Per Capita Grant, it was determined that we are not required to have a match for the grant.

ENVIRONMENTAL DETERMINATION

The selected project would come back to Council for approval and award and would be subject to the appropriate environmental determination at that time.

FISCAL IMPACT

Potentially no general fund fiscal impact if a project is selected within the grant proceeds. However, should the costs exceed grant funds there would be a general fund impact to that extent.

RECOMMENDATION

Select which project choices to have done to expend the grant funds and provide direction for further implementation.

ATTACHMENT(S)

1. Project Estimates

**CITY OF PLYMOUTH
PRELIMINARY ENGINEER'S ESTIMATE
MCGEE PARK ADA ACCESS FROM LANDRUM STREET PROJECT
4/2/2024**

ITEM NO.	ITEM	UNIT OF MEASURE	EST. QTY.	UNIT PRICE	ITEM TOTAL
1	MOBILIZATION	LS	1	\$10,000.00	\$10,000.00
2	LOCATE & PROTECT EXISTING UTILITES	LS	1	\$5,000.00	\$5,000.00
3	ADA PATH OF TRAVEL FROM LANDRUM ST	SF	1,250	\$45.00	\$56,250.00
4	HANDRAIL FOR STAIRS AND RAMPS	LF	380	\$85.00	\$32,300.00
CONSTRUCTION SUBTOTAL					\$103,550.00
CONSTRUCTION CONTINGENCY (20%):					\$20,710.00
SURVEYING:					\$2,500.00
ENGINEERING:					\$10,000.00
CONSTRUCTION MANAGEMENT (15%):					\$15,532.50
TOTAL PROJECT COST					\$152,292.50

CITY OF PLYMOUTH
PRELIMINARY ENGINEER'S ESTIMATE
MCGEE PARK BATHROOM REMODEL PROJECT
4/2/2024

ITEM NO.	ITEM	UNIT OF MEASURE	EST. QTY.	UNIT PRICE	ITEM TOTAL
1	MOBILIZATION	LS	1	\$5,000.00	\$5,000.00
2	LOCATE & PROTECT EXISTING UTILITES	LS	1	\$5,000.00	\$5,000.00
3	BATHROOM REMODEL	LS	1	\$30,000.00	\$30,000.00
CONSTRUCTION SUBTOTAL					\$40,000.00
CONSTRUCTION CONTINGENCY (20%):					\$8,000.00
ENGINEERING:					\$10,000.00
CONSTRUCTION MANAGEMENT (25%):					\$10,000.00
TOTAL PROJECT COST					\$68,000.00

CITY OF PLYMOUTH
PRELIMINARY ENGINEER'S ESTIMATE
MCGEE PARK PLAY AREA UPGRADES PROJECT
4/2/2024

ITEM NO.	ITEM	UNIT OF MEASURE	EST. QTY.	UNIT PRICE	ITEM TOTAL
1	MOBILIZATION	LS	1	\$10,000.00	\$10,000.00
2	LOCATE & PROTECT EXISTING UTILITES	LS	1	\$3,000.00	\$3,000.00
3	PLAY AREA SURFACE PREPARATION	LS	1	\$20,000.00	\$20,000.00
4	PLAY AREA SAFETY SOFT SURFACE	SF	5,420	\$21.00	\$113,820.00
5	4' TALL BLACK CYCLONE FENCING	LF	300	\$125.00	\$37,500.00
CONSTRUCTION SUBTOTAL					\$184,320.00
CONSTRUCTION CONTINGENCY (20%)					\$36,864.00
SURVEYING:					\$1,500.00
ENGINEERING:					\$10,000.00
CONSTRUCTION MANAGEMENT (15%)					\$27,648.00
TOTAL PROJECT COST					\$260,332.00

7.4



CITY COUNCIL AGENDA ITEM NO. 7.4

04/25/2024

SUBJECT: Consider forming an Ad Hoc on the Park Grant Funds.

DEPARTMENT: City Manager's Office

STAFF: Margaret S. Roberts, City Manager

TITLE

ESTABLISH AND APPOINT MEMBERS TO AN AD HOC COMMITTEE ON PROPOSED EXPENDITURES AND PROJECTS FOR MCGEE SHARKEY PARK AND PROVIDE DIRECTION TO COMMITTEE.

BACKGROUND

This item is contingent on Item 7.3

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

Establish and appoint members to the Ad Hoc Committee, and provide direction

ATTACHMENT(S)

None

