

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
September 25, 2007

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
6:30 P.M. Closed Session
7:00 P.M. Open Session

6:30 P.M. CLOSED SESSION

Pursuant to the cited authority (all references to the Government Code), the City Council will hold a Closed Session to discuss the following items:

Govt. Code 54956.9	Conference with Legal Counsel – Threatened Litigation: one case
Govt. Code 54956.95	Conference with Legal Counsel – Liability Claim Claimant: Rusert

7:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 7:00 P.M. The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Acuna, Borelli, Colvin, Hagen, Rivas

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 Antique Faire – September 30, 2007 (Chief Nielsen)

The Chief of Police noted that the Antique Faire would require a street closure in the Historic Downtown from approximately 5:00 a.m. to 6:00 p.m. on Sunday, September 30th.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported that by a unanimous vote of the City Council, the Rusert claim was rejected.

5. ADOPTION OF AGENDA

It was moved by Councilmember Colvin and seconded by Councilmember Rivas to adopt the Agenda as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Colvin, Hagen, Rivas
NOES: None
ABSENT: None
ABSTAIN: None

6. CEREMONIAL MATTERS – None Scheduled

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the Agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the Council from acting on items not listed on the Agenda except by special action of the City Council under specified circumstances. The Mayor reserves the right to limit the speaker's time to three minutes. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy.

7.1 Oral Communication

No oral comments were noted.

7.2 Written Communication

The City Manager noted that an e-mail had been received earlier this day relating to Item 11.1 and will be included with that item as it appears on the agenda.

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by roll call vote unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Councilmember requests otherwise.

8.1 Minutes of September 11, 2007 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of September 11, 2007.

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Auction/Surplus Property – Vehicles (Chief Nielsen)

Resolution No. 7546

Adopted a Resolution authorizing release of surplus City vehicles to Roger Ernst & Associates for sale in an upcoming auction, a copy of which auction contract and lists of surplus vehicles are attached to the staff report.

8.5 Resolution Adopting Continuing Budget Appropriation for the Sewer Enterprise Fund (Mr. Warren)

Resolution No. 7547

Adopted a Resolution authorizing interim operating expenditure controls for the period of October 1 through December 31, 2007 for the Sewer Enterprise Fund.

8.6 Surplus Property (Mr. Warren)

Resolution No. 7548

Adopted a Resolution declaring the computer equipment shown on Attachment "A" of the staff report, as surplus property with a salvage value of \$0.00 and direct staff to deposit the surplus property with Snowline Hospice Thrift Store of El Dorado County for recycling.

8.7 Sierra Nevada Conservancy Proposition 84 Grants Program (Mr. Pesses)

Resolution No. 7549

Adopted a Resolution authorizing staff, in conjunction with the El Dorado County Water Agency, to submit a grant application to the Sierra Nevada Conservancy to request funding for the comprehensive hydrologic and hydraulic analysis, and completion of the Hangtown Creek Master Plan for Hangtown Creek and its tributaries within the City of Placerville.

It was moved by Vice-Mayor Hagen and seconded by Councilmember Borelli to approve the Consent Calendar as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Colvin, Hagen, Rivas
NOES: None
ABSENT: None
ABSTAIN: None

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

10. ORDINANCES – None Scheduled

11. PUBLIC HEARINGS

11.1 Public Hearing to Consider the Disposition of the Emergency Fire Gates Located on Monica Way at Clark Street and on Hillside Drive at Bluebell Court (Mr. Pesses)

The Director of Public Works presented an overview of the issue and a summary of the previous Council meetings regarding this item. Gary Baldock, representing El Dorado County Fire Protection District addressed the Council on public safety concerns regarding fire gates. The Mayor opened the Public Hearing for comment. Public comment was received from: Dale Aaron, Cheryl O'Brian, Bali Ranchhod, Cindy Sutton, Stan Atkins, Jennifer Hamburg, Dave Hamburg, John Schwin, Damon O'Brian, Bob Lissner, Joan Cook, Carol Patton and Jeff May. The Mayor closed the Public Hearing. Staff responded to Council questions. Following Council discussion, it was moved by Councilmember Rivas and seconded by Councilmember Colvin that the gate at Monica Way and Clark Street be removed and the gate at Blue Bell Court and Hillside Drive remain closed until such time as site distance deficiencies can be corrected, and further, to direct staff to look at appropriate locations for speed humps on Estey Way. The motion was passed by the following vote:

AYES: Borelli, Colvin, Rivas
NOES: Acuna, Hagen
ABSENT: None
ABSTAIN: None

12. DISCUSSION/ACTION ITEMS

No Discussion Items were scheduled.

13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

Councilmember Colvin reported on a recent Sacramento Area Council of Governments (SACOG) meeting.

Councilmember Rivas commented on a recent newspaper article regarding a fight that occurred in the Center Street parking structure

that had originated at a Main Street tavern. He expressed concern that unacceptable behavior that had been associated with the recently closed Hillsider Saloon may have migrated to another establishment. The Chief of Police responded that the remaining two Main Street tavern owners had been contacted regarding the Hillsider Saloon closure and expected responsible business practices and both businesses had been very cooperative.

14. STAFF REPORTS

The Public Works Director had reported that the California Conservation Corp (CCC) had begun the creek clean-up of excess vegetation on upper Main Street, adjacent to Mosquito Road and would be progressing in a westerly direction. He further noted that diseased trees that were removed were cut by the CCC for firewood, and the wood is available to the public.

15. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council meeting on October 9, 2007 include a presentation on parking revenue and citation status, a proposal to complete the Hangtown Creek Masterplan, the Eskaton condominium project, the Chief of Police will present an update on the Penal Code 290 issue, and a proposal from El Dorado Disposal for a three-cart program within the city limits.

16. ADJOURNMENT at 9:10 P.M.

The next Regular Council meeting will be held on October 9, 2007: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk