

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting

**January 22, 2013**

City Council Chambers – Town Hall  
549 Main Street, Placerville, CA 95667  
5:30 P.M. Closed Session  
7:00 P.M. Open Session

**5:30 CLOSED SESSION**

- Govt. Code § 54956.9 Conference with Legal Council - Existing Litigation:  
Friends of Historic Hangtown v. City of Placerville,  
et al., Case Number: PC 20110145
- Govt. Code § 54956.8 Conference with Real Property Negotiator – 487 Main Street
- Govt. Code § 54956.9 Conference with Legal Counsel – Anticipated Litigation: one  
case

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**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. Mr. Paul Zappettini, Kiwanis Club member, led the audience in the Pledge of Allegiance to the Flag.*

**2. ROLL CALL: Present: Borelli, Hagen, Mattson, Patton, Wilkins**

**3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC**

*Vice Mayor Hagen presented a plaque on behalf of the Mother Lode Rehabilitation Enterprises (MORE Workshop) to Steve Youel, Director of Community Services, as MORE Workshop's Outstanding Employer. The Community Services Department employs MORE Workshop clients for the Center Street parking structure and at City parks cleaning. MORE Workshop clients also maintain the flower baskets on Main Street during the warm season months.*

**4. CLOSED SESSION REPORT – City Attorney Driscoll**

*The City Attorney noted that no reportable action had been taken in Closed Session.*

**5. ADOPTION OF AGENDA**

*It was moved by Councilmember Patton and seconded by Councilmember Borelli that the City Council adopt the Agenda as presented. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
NOES: None  
ABSENT: None  
ABSTAIN: None

**6. CEREMONIAL MATTERS**

**6.1 Oath of Office to Sergeant Dan Maciel**

*The City Clerk administered the Oath of Office to newly promoted Sergeant Dan Maciel.*

**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 or commenting on items not listed on the Agenda except by special action of the City Council under specified circumstances.

**7.1 Written Communications**

*No written communications were noted.*

**7.2 Oral Communication**

*Public comment was received from Sue Rodman, Michael Drobesh, Sue Taylor, and Barry Batchelor.*

**8. CONSENT CALENDAR**

**NOTE:** All matters listed under the Consent Calendar are considered routine and are enacted by one motion by roll call vote unless any member of the

Council 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 the Regular City Council Meeting of January 8, 2013 (Ms. Zito)**

*Pulled by Councilmember Patton and re-numbered as Item 13.1*

**8.2 Accounts Payable Register (Mr. Warren)**

*Approved the Accounts Payable Register.*

**8.3 Payroll Register (Mr. Warren)**

*Approved the Payroll Register for Pay Period 14.*

**8.4 Acknowledgment of the Mayor's Appointments of Councilmembers to Other Agency Committees and Commissions (Ms. Zito)**

*Acknowledged and filed the Mayor's appointment of Councilmembers to other agency committees and commissions.*

**8.5 Adopt a Resolution Authorizing the Destruction of Police Records (Chief Nielsen)**

**Resolution No. 8066**

*Authorized the destruction of police records.*

**8.6 Measure J Report (Mr. Warren)**

*Acknowledged and filed the Measure J financial report for the quarter ended September 30, 2012.*

**8.7 Extend the Initial Council Appointments to the Economic Development Advisory Committee, the Historical Advisory Committee and the Measure H Committee for Those Incumbents Appointed Within the Last Two Years Whose Terms of Office Expire on March 1, 2013, and Direct Staff to Initiate a Recruitment for Any Seats in Which Incumbents Not Seeking Reappointment and Existing Vacancies (Ms. Zito)**

*Extended the initial Council appointments to the Economic Development Advisory Committee, the Historical Advisory Committee, and the Measure H Committee for those incumbents appointed within the last two years*

*whose terms of office expire on March 1, 2013, and direct staff to initiate a recruitment for any seats in which incumbents are not seeking reappointment and existing vacancies.*

**8.8 Set Interview Dates for the Planning Commission and Recreation & Parks Commission Interviews (Ms. Zito)**

*By acknowledgment of this item, the public and media are notified that the City Council will hold Special City Council meetings on Wednesday, February 13<sup>th</sup> at 6:00 P.M. for the purpose of interviewing candidates for Planning Commission, and on Wednesday, February 20<sup>th</sup> for the purpose of interviewing candidates for the Recreation and Parks Commission. Both Special Council meetings will be noticed with Agendas published pursuant to the Brown Act requirements.*

**8.9 Adopt a Resolution Authorizing the Mayor to Execute Amendment No. 2 to Cooperative Agreement 03-0338 with the State of California Department of Transportation for the Design Phase of the Western Placerville Interchanges Project (CIP #40705) and Adopt a Resolution Authorizing the City Manager to Execute Program Supplement No. 014-N to Administering Agency-State Agreement No. 03-5015R Which Defines the Terms of the Federal Appropriation Funding for the Western Placerville Interchanges Project (Mr. Webb)**

**Resolution No. 8067**

*Adopted a Resolution approving Amendment No. 2 to the existing Cooperative Agreement (No. 03-0338) between the State of California and the City of Placerville for the Western Placerville Interchanges Project (CIP#40705) and authorizing the Mayor to execute same; and*

**Resolution No. 8068**

*Adopted a Resolution authorizing the execution of Program Supplement Agreement No. 014-N for the Western Placerville Interchanges Project.*

*Public comment on the Consent Calendar was received from Evelyn Veerkamp, Sue Taylor, and Michael Drobesh. It was moved by Vice-Mayor Hagen and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as modified. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
NOES: None  
ABSENT: None  
ABSTAIN: None

## **9. ORDINANCES**

### **9.1 A Second Reading of an Ordinance Amending City Municipal Code § 1-14-3, Meetings (Mr. Morris)**

#### **Ordinance No. 1652**

*No public comment was received on this item. It was moved by Councilmember Borelli and seconded by Vice-Mayor Hagen that the City Council waive the Second Reading of said Ordinance amending Section 1-14-3A of the Placerville Municipal Code setting the time for City Council meetings, and adopt said Ordinance. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
NOES: None  
ABSENT: None  
ABSTAIN: None

## **10. PUBLIC HEARINGS**

### **10.1 Resolution Declaring That the Acquisition of Portions of Certain Real Property by Eminent Domain, Located in the City of Placerville, County of El Dorado, and More Particularly Described as APN 004-131-040, is Necessary for the Blairs Lane Bridge Improvement/Replacement Project (Mr. Driscoll)**

#### **Resolution No. 8069**

*An overview of the issue was presented by the City Attorney. Public comment was received from Michael Drobesh. It was moved by Councilmember Borelli and seconded by Councilmember Patton that the City Council adopt a Resolution declaring that the acquisition of portions of certain real property by eminent domain, located in the City of Placerville, County of El Dorado, and particularly described as APN 004-131-040, is necessary for the Blairs Lane Bridge Improvement/Replacement project. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
NOES: None  
ABSENT: None  
ABSTAIN: None

## **11. DISCUSSION/ACTION ITEMS**

### **11.1 Adopt a Resolution Authorizing the Director of Community Services to Enter Into a Gift Agreement with the Placerville Kiwanis Club to Provide Playground Equipment at George F. Duffey Park and Furthermore, Authorize the Expenditure of Park Development Funds in an Amount Not to Exceed \$10,000 for the Installation of Said Equipment (Mr. Youel)**

#### **Resolution No. 8070**

*Vice-Mayor Hagen recused himself from this item and stated that he is a member of the Kiwanis Club. An overview was presented by the Director of Community Services. Public comment was received from Paul Zappettini, representing the Kiwanis Club, Mary Meader, representing the family of George F. Duffey, Steve Neau, and Lori Warden, Kiwanis President. Following the Council's expression of thanks to the Kiwanis Club for this gift of playground equipment, it was moved by Councilmember Borelli and seconded by Councilmember Wilkins that the City Council adopt a Resolution authorizing the Director of Community Services to enter into a Gift Agreement with the Placerville Kiwanis Club to provide playground equipment at George F. Duffey Park and furthermore, authorize the expenditure of Park Development Funds in an amount not to exceed \$10,000 for the installation of said equipment. The motion was passed by the following vote:*

AYES: Borelli, Mattson, Wilkins  
NOES: Patton  
ABSENT: None  
ABSTAIN: None  
RECUSED: Hagen

*Following the vote, Vice-Mayor Hagen re-entered the Council Chambers.*

### **11.2 Direct Staff to Seek Approval of a Supplemental Environmental Project in an Amount of at Least \$16,500 in Response to Regional Water Quality Control Board Administrative Civil Liability Complaint R5-2013-0510 Minimum Mandatory Penalty in the Amount of \$18,000 and Compliance Evaluation Audit for Sewer System Collection System (Mr. Webb)**

*The City Manager summarized the penalty issue and responded to Council questions. Public comment was received from Steve Neau and Sue Rodman. It was then moved by Vice-Mayor Hagen and seconded by Councilmember Borelli that the City Council take the following action:*

1. *Direct staff to seek approval of a Supplemental Environmental Project in an amount of at least \$16,500 in response to Regional Water Quality Control Board Administrative Civil Liability Complaint R5-2013-0510 Minimum Mandatory Penalty in the amount of \$18,000; and*
2. *Direct staff to negotiate a settlement agreement.*

*The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

**11.3 Adopt a Resolution Authorizing the City Manager to Enter Into an Agreement with Aaron Cotter of SCC Consulting for Community Development Block Grant (CDBG) Grant Writing Services (Mr. Morris)**

**Resolution No. 8071**

*The City Manager summarized the need to retain a professional CDBG grant writer. Public comment was received from Steve Neau, Mike Drobesh, and Sue Taylor. Following Council discussion, it was moved by Vice-Mayor Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the City Manager to enter into an agreement with Aaron Cotter of SCC Consulting for CDBG Grant Writing Services. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

**12. COUNCIL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS – (Requests for Future Agenda Items Requires a Majority Concurrence of the Council)**

*Councilmember Borelli noted that she, Mayor Mattson and Councilmember Patton had attended the First Thursday event hosted by the Local Government Commission. The guest speaker’s topic was related to agriculture. Vice-Mayor Hagen reported on a recent Sacramento Area Council of Governments (SACOG) meeting that featured a presented on rural transportation connections with agriculture.*

**13. ITEMS PULLED FROM THE CONSENT CALENDAR**

**13.1 Minutes of the Regular City Council Meeting of January 8, 2013 (Ms. Zito)**

*Following clarification of Item 10.1, it was moved by Councilmember Patton and seconded by Councilmember Borelli that the City Council approve the Minutes of the regularly scheduled Council meeting of January 8, 2013. The motion was passed by the following vote:*

AYES: Borelli, Hagen, Mattson, Patton, Wilkins  
NOES: None  
ABSENT: None  
ABSTAIN: None

**14. CITY MANAGER AND STAFF REPORTS**

**14.1 Report by Councilmembers Patton and Wilkins on Their Attendance at the League of California Cities New Mayors and Councilmembers Academy, January 16, 17, & 18, 2013 in Sacramento**

*Councilmembers Patton and Wilkins reported on training that they participated in on January 16, 17, and 18 in Sacramento.*

**15. UPCOMING ITEMS**

*Items tentatively scheduled for the next City Council meeting on February 12, 2013 include: the Next Economy.*

**16. ADJOURNMENT at 8:58 p.m.**

The next Regular Council meeting will be held on February 12, 2013  
6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

A Community Chat is scheduled for January 29, 2013 at 6:00 P.M.

Susan Zito, MMC  
City Clerk