

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

December 11, 2012

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

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| Govt. Code 54957 | Public Employment Performance Evaluation: City Manager |
| Govt. Code 54956.8 | Conference with Real Property Negotiator: Blairs Lane APN 004-131-40 (1332 Broadway) |
| Govt. Code 54957.6 | Conference with Labor Negotiator – Agency Negotiator: Patrick Clark; Employee Organization: Placerville Police Officers Association |
| Govt. Code 54956.8 | Conference with Real Property Negotiator: 487 Main St. |
| Govt. Code 54956.9 | Conference with Legal Counsel – Existing Litigation (Friends of Historic Hangtown, El Dorado Superior Court Case No. PC 20110145 |
| Govt. Code 54956.9 | Conference with Legal Counsel: Existing Litigation Chase M. Riggi vs. City of Placerville, Case No. 2:11-CV-00753-MCE-DAD |

7:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 7:10 P.M. The Chief of Police led the Pledge of Allegiance to the flag.

2. **ROLL CALL: Present:** Acuna, Borelli, Hagen, Mattson

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

3.1 **Placerville Wins Second Place Nationally in National Night Out Event (Chief Nielsen)**

The Chief of Police reported that the City had been notified that the City's annual National Night Out program received second place in the nation in cities of our size. Only one other California city was recognized and ranked in sixteenth place.

3.2 **Toys for Tots Program**

Susan and Hollis Henderson announced that the re-scheduled Toys for Tots drive held at the Bell Tower on Saturday, December 8th, netted over 1,300 toys and many monetary donations.

3.3 **Kid's Christmas Program**

The Chief of Police announced that Placerville Police Department's annual Christmas party for needy children will be held on Saturday, December 15th at the Schnell School Gymnasium at 2 p.m.

3.4 **Thanks to City Employees**

The Mayor thanked all of the City employees who responded to the recent storm event.

3.5 **Thanks to Chamber of Commerce and the El Dorado County Christmas Tree Growers Association**

The Mayor thanked the many organizations who sponsored and decorated the Christmas trees along Highway 50 and thanked the Chamber and the El Dorado County Christmas Tree Growers Association for their continued sponsorship of this annual event.

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

The City Attorney reported that in the matter of Conference with Legal Counsel: Existing Litigation in the case of Chase M. Riggi vs. the City of Placerville, the City Council unanimous approved a settlement in the amount of \$75,000. No other reportable action was taken in Closed Session.

5. ADOPTION OF AGENDA

The City Manager requested that Item 12.1 be added to this evening's agenda by a 4/5ths vote of the Council. This issue involves an extension to the current Fair Lane road closure due to inclement weather. It was moved by Councilmember Borelli and seconded Councilmember Hagen that the City add Item 12.1 to the Agenda. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Mattson
NOES: None
ABSENT: None
ABSTAIN: Non

It was then moved by Councilmember Hagen and seconded by Vice-Mayor Mattson that the City Council adopt the Agenda as modified. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Certificates of Recognition of Employee Service Anniversaries

The following City employees were given certificates of appreciation and \$25 gift certificates to shop at Placerville merchants.

*Ricky Brown, 10 years
Russ Fowler, 10 years
Dan Maciel, 10 years
Dave Warren, 10 years*

6.2 Oath of Office to New City Employees

The City Clerk administered the Oath of Office to new City employees Darin Baldy, Information Technology Analyst; Crystal Keith, Police Dispatch/Records Technician; and David Pantoja, Police Officer.

6.3 Mayor's 2012 Beautification Award

The Mayor presented a certificate to the 2012 Beautification Award winner, the Coffee Depot, 70 Main Street. The certificate was accepted by owners Cindy and John Mosbacher.

6.4 A Proclamation Thanking and Commending Sara Young for Her Contributions to the Historic Downtown by Coordinating the Music in the Courtyard Program

The Mayor presented a Proclamation to Sara Young, owner of the Courtyard Salon.

6.5 A Proclamation Thanking Patricia Cook for Her 32 Years of Volunteer Service as the President of the Gold Bug Park Development Committee

The Mayor presented a Proclamation and key to the City, thanking Pat Cook for her volunteer service and dedication to Gold Bug Park.

6.6 A Proclamation Thanking and Commending Jack Sweeney for His Years of Service to El Dorado County and the City of Placerville

The Mayor presented a Proclamation to Jack Sweeney thanking and commending him for his years of service to our community.

6.7 Certificate of Recognition to Western Sign Company for Their Annual Assistance with the City of Placerville's Holiday Decoration Program

The Mayor presented a Proclamation to Todd Johnston, representing the Brazelton Family, owners of Western Sign Company, for their annual assistance in assisting City crews in decorating community Christmas trees and other holiday displays that require aerial equipment.

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

7.1 Written Communications

No written communications were noted.

7.2 Oral Communication

Mike Kobus thanked the City Council for recognizing Pat Cook, Jack Sweeney, and Western Sign Company.

Hollis Henderson thanked Western Sign for replacing the lanyard on the vandalized flag pole at Independence High School.

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

Councilmember Borelli reported on recent meetings she had attended including the El Dorado County Transit Audit Committee, the Missouri Flat Road ribbon cutting ceremonies, SEDCorp., Chamber of Commerce installation dinner, and the 2x2 meeting with El Dorado County Supervisors.

Councilmember Hagen recently attended the Sacramento Area Council of Governments (SACOG) Transportation Committee meeting, the El Dorado County Transportation Commission Audit Committee, the Missouri Flat Road ribbon cutting ceremonies, the California Transportation Commission (CTC) meeting and a Chamber of Commerce mixer.

Vice-Mayor Mattson recently attended the 2 x 2 meeting with El Dorado County, and several meetings regarding the homeless issue.

Mayor Acuna thanked the Director of Community Services, Steve Youel, for his coordination of the Hangtown Creek clearing, currently underway utilizing labor from Growlersburg Conservation Camp. The Mayor also commended the staff at the Hangtown Creek Water Reclamation Facility for the maintenance of that facility, as well as their efforts during the recent flood condition event.

9. 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 wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Councilmember requests otherwise.

**9.1 Minutes of the Regular City Council Meeting of November 13, 2012
(Ms. Zito)**

Approved the Minutes of the regularly scheduled Council meeting of November 13, 2012.

9.2 Accounts Payable Register (Mr. Warren)

Approved the Accounts Payable Register.

9.3 Payroll Registers (Mr. Warren)

Approved the Payroll Registers for Pay Periods 10 and 11.

**9.4 Adopt Resolution Approving a Consulting Services Agreement with
Omni-Means for El Dorado Trail Improvements (Mr. Webb)**

Resolution No. 8058

Adopted a Resolution for the following action:

- 1. Approving a Consulting Services Agreement with Omni-Means in an amount not to exceed \$25,000 for Environmental and Engineering Design Services for the El Dorado Trail-Ray Lawyer Drive to Main Street Project (CIP#41204), and authorizing the City Manager to execute same; and*
- 2. Approving a \$25,000 budget appropriation of Transportation Enhancements (TE) revenue for the El Dorado Trail-Ray Lawyer Drive to Main Street Project (CIP #41204); and*
- 3. Authorizing the City Manager to execute Program Supplement No. 013-N to Administering Agency-State Agreement No. 03-5015R which defines the terms of the Federal Transportation Enhancement (TE) funding for the El Dorado Trail-Ray Lawyer Drive to Main Street Project (CIP #41204).*

Resolution No. 8059

Adopted a Resolution for the following action:

- 1. Approving a Consulting Services Agreement with Omni-Means in an amount not to exceed \$45,000 for Environmental and Engineering Design Services for the El Dorado Trail-Clay Street to Bedford Avenue Project (CIP #41308), and authorizing the City Manager to execute same; and*

2. *Approving a \$45,000 budget appropriation of Transportation Enhancement (TE) revenue for the El Dorado Trail-Clay Street to Bedford Avenue Project (CIP#41308).*

9.5 Adopt a Resolution Rescinding Resolution No. 7876, a Resolution Setting Aside the Approval of Project CIP #40617 Clay Street/Cedar Ravine Realignment and Clay Street Bridge Replacement and Approving a Mitigated Negative Declaration for Said Project (Mr. Morris)

Resolution No. 8060

Adopted a Resolution rescinding Resolution No. 7876 of the City of Placerville setting aside the approval of Project CIP #40617, Clay Street/Cedar Ravine Realignment and Clay Street Bridge Replacement and Approving a Mitigated Negative Declaration for said project.

9.6 Receive a Letter from the City/County Two by Two Committee and Adopt a Resolution Directing Staff to Work with El Dorado County Staff to Identify Areas of Cooperation Which Will Result in More Efficient Services (Mr. Morris)

Resolution No. 8061

Adopted a Resolution directing staff to work with El Dorado County staff to identify areas of cooperation which will result in more efficient services.

9.7 Minutes of the Joint Meeting of the City Council/Planning Commission and Historic Advisory Committee Held on October 30, 2012 (Ms. Zito)

Adopted the Minutes of the October 30, 2012 Joint Meeting of the City Council, Planning Commission and Historic Advisory Committee.

9.8 Adoption of Revised Joint Powers Agreement (JPA) with Sierra Economic Development Corporation (SEDCorp) (Ms. Zito)

Resolution No. 8062

Adopted a Resolution authorizing the City Manager to sign the revised Joint Powers Agreement (JPA) with Sierra Economic Development Corporation (SEDCorp).

Public comment was received from Sue Rodman regarding Item 9.4 and Michael Drobesh regarding Item 9.5. It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council approve the Consent Calendar as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

10. ORDINANCES – None Scheduled

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Authorize by Minute Action the Continuation of the Temporary Closure of a Portion of Fair Lane for the Western Placerville Interchanges Project (CIP #41301) to January 8th, 2013 due to Weather Days (Mr. Webb)

The Director of Development Services summarized the need for the extension of the road closure based on the inclement weather. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council authorize the continuation of the temporary closure of a portion of Fair Lane for the Western Placerville Interchanges Project (CIP #41301) to January 8, 2013. The motion was passed by the following vote:

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

13. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

14. CEREMONIAL TRANSITION OF THE CITY COUNCIL

14.1 Recognition of Retiring Mayor Mark A. Acuna

Vice-Mayor Mattson made an opening statement regarding Mayor Acuna's time on the Council and presented him with a gift from the City Council members. She then presented him with a gift on behalf of the City. Members of the public were invited to come forward to address Mayor Acuna. Supervisor Jack Sweeney read a proclamation and presented it to Mayor Acuna. Pat Cook thanked Mayor Acuna for his support of the Gold Bug Park Development Committee. Kathi Lishman, Frank Hainley, Sue Rodman, and Michael Drobesh thanked Mayor Acuna for his years of service to the City. Fellow Councilmembers Hagen, Borelli and Mattson thanked Mayor Acuna and wished him well. Mayor Acuna then thanked City staff, his wife and the voters for the privilege of serving on the City Council. The City Manager thanked Mayor Acuna and presented Mrs. Kandee Acuna with a bouquet of roses.

14.2 Certification of the El Dorado County Registrar of Voters' Results of the Canvass of the Election Returns of the Consolidated General Election Held November 6, 2012

By consensus of the Council, the Official Final Election Report, dated 11/21/12, was acknowledged and filed.

14.3 Adoption of a Resolution of the City Council of the City of Placerville Accepting the Certification of the Canvass of Ballots by El Dorado County Registrar of Voters for the November 6, 2012 Election

Resolution No. 8063

It was moved by Mayor Acuna and seconded by Councilmember Hagen that the City Council adopt a Resolution accepting the Certification of the Canvass of Ballots by the County Registrar of Voters for the November 6, 2012 Election. The motion was passed by the following vote:

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

14.4 Administration of the Oath of Office to New Councilmembers, and Presentation of Certificates of Election

At this time, newly elected Councilmembers assembled on stage. The City Clerk administered the Oath of Office. Following the Oath of Office, Mayor Acuna vacated his seat. Councilmembers Patton and Wilkins were seated on the dais.

15. CITY MANAGER AND STAFF REPORTS

No City Manager or staff reports were noted.

16. UPCOMING ITEMS

Items tentatively scheduled for the January 8, 2013 Council meeting include: Council election of Mayor for 2013, Measure J Report, and a Public Hearing regarding an appeal of a Planning Commission denial.

17. ADJOURNMENT at 9:00 P.M.

The Council meeting of December 25, 2012 is cancelled.

The next Regular Council meeting will be held on January 8, 2013
6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk

Notice:

A reception was held in the Council Chambers immediately following adjournment of this meeting.