

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

September 25, 2012

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
No Closed Session Scheduled
7:00 P.M. Open Session

NO CLOSED SESSION SCHEDULED

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, Hagen, Mattson

3. ANNOUNCEMENTS/PRESENTATIONS TO THE PUBLIC

3.1 Antique Faire, September 30, 2012 – Chief Nielsen

The Chief of Police noted that a Main Street closure would be in effect from 5:00 a.m. to 6:00 p.m. to allow the vendors to set up and break down the event. The closure will be from Bedford Avenue west to Sacramento Street. The event is scheduled for 8:00 a.m. to 3:00 p.m.

3.2 Fall Community Clean-Up Day Report, September 22, 2012– City Clerk Zito

The City Clerk thanked Community Clean-Up Day volunteers including Richard Zito and City employee Kelly Segura. She reported that over 250 vehicles participated in this event with a total trash tonnage of 37.2 tons and 4.87 tons of green waste disposed of during the six-hours of

operation. Snowline Hospice also participated in this event with a total donation weight of 8,795 lbs. of appliances, clothing, e-waste, and power equipment.

The next Community Clean-Up event will take place in spring, 2013.

4. CLOSED SESSION REPORT – No Closed Session Scheduled

5. ADOPTION OF AGENDA

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

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

6. CEREMONIAL MATTERS

6.1 Mayor's Beautification Award to Buttercup Pantry

The Mayor read the Award and presented it to Dennis Look, the Buttercup Pantry Landscape Contractor. Mr. Look thanked the Council for this award and noted that he has been the Landscape Contractor for this property for over 20 years.

6.2 Mayor's Beautification Award to Community Pride

The Mayor read the Award and presented it to Community Pride Committee Chairperson, Kathi Lishman. Ms. Lishman thanked the Council and recognized Community Pride members Christine Thiel, Tim Daviess, and volunteers Dennis Look and Carol Patton who were in attendance.

6.3 Proclamation Commending Placerville News Company on 100 years of Family Ownership

The Mayor read the Proclamation and presented it to the Placerville News Company's owners, Mary and Jeff Meader.

6.4 Proclamation Declaring October 2012 as Domestic Violence Awareness Month in the City of Placerville

The Mayor read the Proclamation and presented it to domestic violence survivor Sherri Mols who summarized her past domestic violence experience and noted that she was now a volunteer at The Center for Violence-Free Relationships.

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

Kathi Lishman addressed the Council and reminded the public that the City Council Candidate Forum, sponsored by the League of Women Voters will be held on Monday, October 1, 2012 at 7:00 P.M. at Town Hall, 549 Main Street.

Dennis Thomas addressed the Council regarding the Fire District Joint Powers Agreement for ambulance service voting to eliminate the part-time EMT unit that assists Station 25 (Sacramento Street Station) in responding to calls for service within Placerville. By consensus of the Council, staff was directed to bring this item back for Council discussion at the next regularly scheduled meeting.

Alyse Kolb addressed the Council regarding a parking ticket her mother had received in the Center Street Parking Structure. Ms. Kolb was requested to contact City Manager Morris to resolve this issue.

Barry Batchelor addressed the Council and volunteered to remove parking signs within the City lots that restrict backing-in to a parking space.

Michael Drobesh addressed the Council inquiring if there was any way to protect historical resources within buildings in the historic downtown. The Mayor commented that this topic may be more thoroughly addressed at the

October 30, 2012 joint workshop of the City Council, Planning Commission and Historical Advisory Committee when the public could comment on the City's existing Design Guidelines and the City-adopted Secretary of Interior's Standards for the Treatment of Historic Properties.

Robyn Rawers also commented on protection of historical resources within structures in the historic downtown.

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

Councilmember Hagen commented on the Ambulance Service downsizing issue mentioned earlier in the meeting by Dennis Thomas, and he also reported on a recent Sacramento Area Council of Governments (SACOG) meeting regarding agri-tourism. Councilmember Hagen noted how important agri-tourism is to El Dorado County in the form of Apple Hill and local wineries.

Councilmember Borelli reported on her attendance at both the El Dorado County Economic Development Commission meeting and the City of Placerville's Economic Development Committee meeting held on September 21st. She further commented on the success of the September 22nd Oktoberfest event in the historic downtown.

Vice-Mayor Mattson reported on a recent meeting at the El Dorado Center and the breadth of curriculum at our local community college. She also noted her attendance at the recent Brewfest in the historic downtown and the grand opening ceremonies at Marshall Hospital's new South Wing.

Mayor Acuna reported on his participation in the opening ceremonies of Marshall Hospital's new South Wing, where he presented a Proclamation to Marshall Hospital.

9. 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.

9.1 Minutes of the Regular City Council Meeting of September 11, 2012 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of September 11, 2012.

9.2 Accounts Payable Check Register (Mr. Warren)

Approved the Accounts Payable Check Register.

9.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

9.4 Approving Amendment No.1 to the Existing Consulting Services Agreement with Patterson Development in the Amount of \$7,220 for Additional Engineering and Design Services for the Thompson Way Sidewalks Project (CIP #41103), and Authorizing the City Manager to Execute Same; and Approving an Agreement for Payment In Lieu of Onsite and Offsite Improvements with James and Michelle Piazza and Authorizing the City Manager to Execute Same (Mr. Webb)

Resolution No. 8038

Adopted a Resolution for the following action:

- 1. Approving Amendment No. 1 to the existing Consulting Services Agreement with Patterson Development in the amount of \$7,220 for additional engineering and design services for the Thompson Way Sidewalks Project (CIP #41103), and authorizing the City Manager to execute same; and*
- 2. Approving Agreement for Payment in Lieu of Onsite and Offsite Improvements with James and Michelle Piazza and authorizing the City Manager to execute same.*

9.5 Accepting all Subdivision Improvements Associated with The Ridge at Orchard Hill Phase 2B, a 53 Lot Subdivision, Identified Under the Terms of the “Agreement to Make Subdivision Improvements for Class 1 Subdivision Between the City Placerville and Orchard Hills Estates, LLC” dated August 9, 2006 as complete, and Accepting Those Public Improvements Offered for Dedication to the City of Placerville into the City’s Maintained System for Streets, Storm Drains, and Wastewater Collection Purposes, and Releasing the Remaining Performance and Surety Bonds for This Subdivision (Mr. Webb)

Resolution No. 8039

Adopted a Resolution for the following action:

1. *Accepting all subdivision improvements associated with The Ridge at Orchard Hill Phase 2B, a 53 lot subdivision, identified under the terms of the "Agreement to make Subdivision Improvements for Class 1 Subdivision between the City of Placerville and Orchard Hills Estates, LLC" dated August 9, 2006; and*
2. *Accepting those public improvements offered for dedication to the City of Placerville into the City's maintained system for street, storm drains, and wastewater collection purposes; and*
3. *Releasing the remaining Performance and Surety Bonds for this subdivision.*

9.6 Adopt a Resolution Approving Final Contract Change Order (CCO) No. 1, a Deduction in the Amount of \$9,351.98 with Doug Veerkamp General Engineering, Inc. and Approve Various Actions in Completion of this Project (Mr. Webb)

Resolution No. 8040

Adopted a Resolution for the following action:

1. *Approving Final Contract Change Order (CCO) No. 1, a deduction in the amount of \$9,351.98 with Doug Veerkamp General Engineering, Inc. and authorizing the City Manager to execute said CCO; and*
2. *Accepting the Main Street and Turner Street Reconstruction Project (CIP #41211) and all associated work as complete and authorizing the City Engineer to execute a Notice of Completion and instructing the City Clerk to record said Notice with the El Dorado County Recorder's Office; and*
3. *Authorizing the Finance Director to release all remaining retention held for construction security, thirty (30) days after the date of the Notice of Completion filing; and*
4. *Authorizing the release of the Performance Bond and the release of the Labor and Materials Surety Bond, after the statutory 30 day time period, if no claims are made against the project.*

9.7 Adopt a Resolution Authorizing the City Manager to Execute the Right-of-Way Contract for the Right-of-Way Acquisition from Assessor's Parcel Number: 325-280-29 (227 Fair Lane) and Associated Action for the Phase 1B Western Placerville Interchanges Project (Mr. Webb)

Resolution No. 8041

Adopted a Resolution for the following action:

1. *Authorizing the City Manager to execute the Right-of-Way Contract for the right-of-way acquisition from Assessor's Parcel Number: 325-280-29 (227 Fair Lane).*
2. *Authorizing staff to open an escrow account with Placer Title Company to complete the transaction and execute any necessary documents pursuant to the provisions of the Right-of-Way Contract.*
3. *Accepting the Grant Deeds for Road Right-of-Way, for a Slope Easement, and for a Temporary Construction Easement referenced in said Contract, and directing the City Clerk to deliver said deeds to Placer Title to be held in escrow.*
4. *Authorizing the Finance Director to deposit funds into the escrow account in the amount of \$65,400 as agreed upon, plus any additional required escrow fees and closing costs.*

It was moved by Councilmember Borelli and seconded by Councilmember Hagen 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 Acknowledge and File the Basic Financial Statements and Independent Auditors' Report for Fiscal Year 2010/2011 (Mr. Warren)

Auditor Kenneth Pun presented an overview of Independent Auditors' Report for the year ended June 30, 2011 and responded to Council questions. Public comment was received from Michael Drobesh. It was then moved by Councilmember Hagen and seconded by Vice-Mayor Mattson that the City Council acknowledge and file the Basic Financial Statements and Independent Auditors' Report for Fiscal Year 2010/2011. The motion was passed by the following vote:

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

12.2 Adopt a Resolution Authorizing the Mayor to Execute County Agreement 098-01311 Between the City of Placerville and El Dorado County to Provide Animal Control Services Within the Boundaries of the City of Placerville for the Term Beginning July 1, 2012, and Continuing Until Terminated by Either Party (Mr. Morris)

Resolution No. 8042

Staff presented an overview of the agreement with El Dorado County and responded to Council questions. Public comment was received from Robyn Rawers and Sue Rodman. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution Authorizing the Mayor to Execute County Agreement 098-01311 Between the City of Placerville and El Dorado County to provide animal control services within the boundaries of the City of Placerville for the term beginning July 1, 2012, and continuing until terminated by either party. The motion was passed by the following vote:

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

12.3 Approve Volunteer Program, Including Various Positions, and Authorize Staff to Proceed with Implementation (Mr. Morris)

The City Manager presented an overview of the VIP (Volunteer in Placerville) program and responded to Council questions. Public comment was received from Sue Rodman, George Lowry, and Robyn Rawers. It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council approve a Volunteer Program, including various positions, and authorize staff to proceed with implementation. The motion was passed by the following vote:

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

12.4 Authorize City Staff to Temporarily Close Lumsden Park for Restoration Projects and Allocate up to \$4,000.00 from the

Contingency for Unforeseen Expenditures for the Fabrication and Installation of a Permanent Entrance Gate at the Park (Mr. Youel)

Resolution No. 8043

The Director of Community Services summarized the restoration projects and the need to close Lumsden Park temporarily during construction related work and noted that it is anticipated that the park will re-open for next Spring's Annual Fishing Derby. Public comment was received from Michael Drobesh. It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:

- 1. Authorize City staff to temporarily close Lumsden Park for restoration projects; and*
- 2. Allocate up to \$4,000.00 from the Contingency for Unforeseen Expenditures for the fabrication and installation of a permanent entrance gate at the park.*

The motion was passed by the following vote:

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

12.5 Adopt a Resolution Consenting to Relieve Teichert Construction from its Bid for the Western Placerville Interchanges Phase 1A Project (CIP #41301); Authorizing the City Manager to Negotiate and execute an Agreement for \$1,200,000 Contribution from El Dorado to said Project; and Appropriating a \$1,200,000 Contribution from El Dorado County to said Project; and Appropriating \$100,000 from the Sewer Enterprise Fund to said Project; and Awarding a Construction Contract to Doug Veerkamp General Engineering in an Amount of \$5,711,299 Contingent on Completion of an Agreement with El Dorado County for a \$1,200,000 Contribution to the Project and County Adoption of a Resolution Appropriating the \$1,200,000 Contribution in Their Budget (Mr. Webb)

Resolution No. 8044

The Director of Community Development and Engineering summarized the recent bid opening, the request from the low bidder, Teichert Construction, to be relieved from their bid, and the subsequent awarding of the bid to next lowest bidder Doug Veerkamp General Engineering. Public comment

was received from Sue Rodman, Michael Drobesh, Robyn Rawers, and Kirk Smith. Mr. Webb responded to audience questions regarding tree removal mitigation bank and the phasing of the project that would include more detailed landscaping plans in the future. It was then moved by Councilmember Borelli and seconded by Vice-Mayor Mattson that the City Council adopt a Resolution for the following action:

- 1. Consenting to relieve Teichert Construction from its bid for the Western Placerville Interchanges Phase 1A Project (CIP#41301); and*
- 2. Authorizing the City Manager to negotiate and execute an Agreement for \$1,200,000 contribution from El Dorado County to said project; and*
- 3. Appropriating a \$1,200,000 contribution from El Dorado County to said project; and*
- 4. Appropriating \$100,000 from the Sewer Enterprise Fund to said project; and*
- 5. Awarding a construction contract to Doug Veerkamp General Engineering in an amount of \$5,711,299 contingent on completion of an agreement with El Dorado County for a \$1,200,000 contribution to the project and County adoption of a resolution appropriating the \$1,200,000 contribution in their budget.*

The motion was passed by the following vote:

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

13. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

14. CITY MANAGER AND STAFF REPORTS

The Director of Finance reported on the water/sewer billing adjustment program.

15. UPCOMING ITEMS

The City Manager noted that several items related to the Western Placerville Interchange project will be on the next regularly scheduled City Council meeting Agenda.

16. ADJOURNMENT at 9:50 P.M.

The next Regular Council meeting will be held on October 9, 2012
6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

A Neighborhood Chat is scheduled for Monday, October 15th, at 6:00 P.M. at Town Hall.

Susan Zito, MMC
City Clerk
