

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting

June 26, 2012

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 CLOSED SESSION

Govt. Code 54957.6 Conference with Labor Negotiator – Agency Negotiator:
Patrick Clark; Employee Organization: Local 39

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 4th of July Blast – Chief Nielsen

The Chief of Police invited the public to the annual 4th of July Blast at the El Dorado County Fairgrounds on July 4th.

3.2 Brewfest – Chief Nielsen

The Chief invited the public to attend the annual Brewfest on Saturday, June 30th in the historic downtown. A street closure will be in effect on Saturday evening.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney reported that a tentative agreement had been reached with Local 39 and that the agreement will be on July 10th regularly scheduled Council meeting agenda for Council approval.

5. ADOPTION OF AGENDA

The Mayor requested that Item 11.4 be heard this evening prior to Item 11.1. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the Agenda be adopted as modified. The motion was passed by the following vote:

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

6. CEREMONIAL MATTERS

Pat Cook, Chairperson the of the Gold Bug Park Development Committee, recognized Gold Bug Park volunteers Dean Reed and Eugene Francis Joseph Duffy IV. The Mayor presented certificates of thanks to both volunteers.

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 Written Communications

No written communications were noted.

7.2 Oral Communication

- ♦ Kirk Smith addressed the Council regarding the City's Code of Ethics and suggested an oversight committee.
- ♦ Robyn Rawers addressed the Council regarding a potential theater in the downtown.
- ♦ Michael Drobesh addressed the Council regarding the feasibility of gold mining in Gold Bug Park, requested clarification of a statement in the City's Housing Element, noted the exterior condition of the Shell Station on Main Street, requested clarification of the status of the Public Financing Authority, inquired if the City bore any costs associated with the new fire sprinkler regulations, and requested the City to contact County Probation regarding Dave Machado's court-ordered community service to see if the service could be completed in the City.
- ♦ Barry Batchelor noted that his wife has volunteered at Gold Bug Park, and stated concerns regarding annexation of the Smith Flat area and downtown parking issues.
- ♦ Jamie Anders addressed the Council regarding homeless issues in the upper Broadway area.
- ♦ George Lowry commended the City Council and staff for "walking through issues related to David Machado with grace and civility".
- ♦ Evelyn Veerkamp requested Council clarification of an item listed in the El Dorado Community Foundation 2011 Annual Report that listed a grant of \$26,200 to the City of Placerville.

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

- ♦ Councilmember Borelli noted that El Dorado County Transit Authority and the El Dorado County Transportation Commission would be meeting the week following this Council meeting. She also attended the preview evening at the El Dorado County Fair and the opening ceremonies the following day.
- ♦ Councilmember Hagen noted he would also be attending the El Dorado County Transportation Commission meeting next week.
- ♦ Vice-Mayor Mattson reported that she had participated, with the City Manager, in meetings with the El Dorado Resource Center and Citizens in Transition regarding homeless camp clean-ups. She also invited the public to participate in the July 11th Neighborhood Chat, focusing on Economic Development.

- ♦ Mayor Acuna will also be attending the El Dorado County Transportation Commission next week.

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 June 12, 2012 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of June 12, 2012.

9.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

9.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

9.4 Confirmation of Council Interview Sub-Committee Recommendations for Appointment of the Economic Development Advisory Committee (Ms. Zito)

Pulled by Councilmember Borelli and re-numbered as Item 13.1.

9.5 Resolutions Adopting an Amendment to Salary and Benefit Provisions in the Unrepresented Employee Units (Mr. Morris)

Adopted the following Resolutions:

Resolution No. 8004

1. *A Resolution of the City Council adopting an amendment to salary and benefit provisions for the employees in the Unrepresented Supervisory Unit classifications.*

Resolution No. 8005

2. *A Resolution of the City Council adopting an amendment to salary and benefit provisions for the employees in the Unrepresented Executive Management Unit classifications.*

Resolution No. 8006

3. *A Resolution of the City Council approving the continuation of the 10% reduction in Councilmember salary through the Fiscal Year ending June 30, 2013.*

Resolution No. 8007

4. *A Resolution of the City Council adopting an amendment to salary and benefit provisions for the employees in the Unrepresented Confidential Unit classifications.*

9.6 A Resolution Adopting the Cosumnes, American, Bear and Yuba Rivers (CABY) Integrated Regional Water Management Plan (IRWMP) as a Voluntary Document That Provides Broadly Supported, Identified Goals, Objectives, Strategies, and Projects to Meet the Integrated Water Needs of the City of Placerville (Mr. Stong)

Resolution No. 8008

Adopted a Resolution adopting the Cosumnes, American, Bear and Yuba Rivers (CABY) Integrated Regional Water Management Plan (IRWMP) as a voluntary document that provides broadly supported, identified goals, objectives, strategies, and projects to meet the integrated water needs of the City of Placerville.

9.7 Consulting Services Agreement with Herrera Engineering Consultants, Inc. in An Amount Not to Exceed \$110,000 for FY 2012/2013 to Provide Technical Support with the City's NPDES Permit for the Hangtown Creek Water Reclamation Facility (Mr. Stong)

Resolution No. 8009

Adopted a Resolution approving a Consulting Services Agreement with Herrera Engineering Consultants, Inc., in an amount not to exceed \$110,000 for FY 2012/2013 to provide technical support

with the City's NPDES Permit for the Hangtown Creek Water Reclamation Facility.

- 9.8 Adopt a Resolution Authorizing the Execution of Cooperative Agreement No. 03-0511 with the State of California Department of Transportation for Funding Contribution in the Amount of \$600,000 for Construction Claims on the Highway 50 Operations Project (Mr. Stong)**

Resolution No. 8010

Adopted a Resolution authorizing the execution of Cooperative Agreement No. 03-0511 with the State of California Department of Transportation for funding contribution in the Amount of \$600,000 for construction claims on the Highway 50 Operations Project.

- 9.9 Adopt a Resolution Authorizing the Director of Finance to Execute Certifications of Direct Charge Wherein the City of Placerville Certifies that the Special Assessments That Are Collected by the County of El Dorado Meet the Requirements of Proposition 218 and Authorizing the County Auditor-Controller to Place the City's Special Assessments on the Fiscal Year 2012/2013 Secured Tax Roll (Mr. Warren)**

Pulled by Councilmember Borelli and re-numbered as Item 13.2

- 9.10 Adopt a Resolution Approving the Contract Plans and Specifications for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and Authorizing Staff to Advertise the Project for Construction Bidding (Mr. Stong)**

Resolution No. 8012

Adopted a Resolution approving the contract plans and specifications for the Western Placerville Interchanges Phase 1A Project (CIP #41301) and authorizing staff to advertise the project for construction bidding.

*Public comment was received from the following audience members:
Evelyn Veerkamp commented on Items 9.2, 9.3, 9.4, and 9.8.
Michael Drobesh commented on Items 9.6, 9.7, and 9.8
Sue Rodman commented on Items 9.6 and 9.7*

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

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

Councilmember Mattson declared a conflict of interest with Item 10.1 and recused herself. She exited the Council Chambers.

10. ORDINANCES

10.1 The Second Reading of an Ordinance Repealing Ordinance No. 1641, Which Adopted a Redevelopment Plan for the Placerville Redevelopment Agency (Mr. Morris)

Ordinance No. 1647

Public comment was received from Kirk Smith. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council waive the Second Reading of an Ordinance repealing Ordinance No. 1641, which adopted a Redevelopment Plan for the Placerville Redevelopment Agency, and adopt said Ordinance. The motion was passed by the following vote:

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

Councilmember Mattson re-entered the Council Chambers.

10.2 Introduction and First Reading Waiver of an Ordinance Amending Title 6, Chapter 17 of the Placerville Municipal Code Relating to Regulation of Proximity of Sex Offenders to Children's Facilities: Prohibition of Registered Sex Offenders from Entering City Parks, Schools and Other Areas Where Children Congregate (Chief Nielsen)

The Chief of Police summarized the issue and responded to Council questions. Public comment was received from Sue Rodman. Councilmember Hagen then introduced an Ordinance amending Title 6, Chapter 17 of the Placerville Municipal Code relating to regulation of proximity of sex offenders to children's facilities: prohibition of registered sex offenders from entering City parks, schools, and other areas where children congregate. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council waive First Reading of said Ordinance. The motion was passed by the following vote:

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

11. PUBLIC HEARINGS

11.1 Zoning Ordinance Amendment (ZC) 2011-01 Mobilehome Parks, Single Family Homes in Multi-Family Districts, and Off-site Sign Regulations (Mr. Painter)

Brigit S. Barnes, an Attorney representing George and Pamela Gliksman, addressed the Council regarding the Hidden Springs Villa Mobile Home Park. Public comment was also received from Kirk Smith, Michael Drobesh and Sue Taylor. Following Council discussion and staff response to Council questions, it was moved by Councilmember Hagen and seconded by Vice-Mayor Mattson that the City Council take the following action:

- 1. Adopt the Staff Report as part of the public record.*
- 2. Make the findings listed in the Staff Report as Item II, A through I.*

Councilmember Hagen then introduced an Ordinance amending various sections of Title 10 of the Zoning Ordinance, and an amendment to the Zoning Map. It was moved by Councilmember Hagen and seconded by Vice-Mayor Mattson to waive First Reading of said Ordinance. The motion was passed by the following vote:

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

11.2 General Plan Amendment (GPA) 12-01: Zoning Ordinance Amendment (ZC) 12-01; R-5 High Density Housing (Mr. Calfee)

Resolution No. 8013

Public comment was received from Sue Rodman, Michael Drobesch, Sue Taylor, and Frank Peterson. A letter submitted by Phillip Walther was received as part of the public record. Following Council discussion and staff response to Council questions, it was moved by Councilmember Hagen and seconded by Vice-Mayor Mattson that the Council take the following action:

- 1. Make the Findings regarding the General Plan Amendment (GPA) 2012-01 and Zone Change (ZC) 2012-01, listed as Section I, Items A through C, in the staff report; and*
- 2. Adopt a Resolution amending the text of the City of Placerville's General Plan High-Density Residential Land Use Designation to allow up to 20 dwelling units per acre (du/a).*

Councilmember Hagen then introduced an Ordinance amending the text of the Zoning Ordinance to establish a new High-Density Residential zoning designation to be known as "R-5 Multi-Family Residential". It was then moved by Councilmember Hagen and seconded by Vice-Mayor Mattson that the City Council waive the First Reading of said Ordinance and schedule the Second Reading of said Ordinance at the August 14, 2012 Council meeting, and direct staff to research the state's definition of "suburban, rural, and metropolitan" designations. The motion was passed by the following vote:

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

ABSENT: None
ABSTAIN: None

11.3 Zoning Ordinance Amendment (ZC) 2012-02 – Emergency Housing in Highway Commercial Zones (Mr. Calfee)

Public comment was received from Michael Drobesh, Sue Taylor, and Sue Rodman. Following Council discussion and staff response to Council questions, it was moved by Councilmember Borelli and seconded by Vice-Mayor Mattson that the City Council take the following action:

- 1. Adopt text amendments to the City's Zoning Ordinance to permit one Emergency Housing facility in a Highway Commercial (HWC) zone as a use allowed by right, in accordance with Section 65583 of the California Government Code (Senate Bill 2).*

Councilmember Borelli then introduced an Ordinance amending Title X, Chapter 1, Section 4 (§ 10-1-4), and Title X, Chapter 5, Section 17, Subsection (B) (§ 10-5-17(B)) of the Placerville Municipal Code (Zoning Ordinance) relating to Emergency Housing Facilities in a Highway Commercial (HWC) Zone. It was then moved by Councilmember Borelli and seconded by Vice-Mayor Mattson that the City Council waive the First Reading of said Ordinance. The motion was passed by the following vote:

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

11.4 General Plan Amendment (GPA) 2012-02: City Street Classifications and Circulation Diagrams; CalTrans California Roadway System Maps (Mr. Stong)

Resolution No. 8014

Public comment was received from Sue Rodman and Michael Drobesh. Following Council discussion, it was moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council adopt a Resolution approving amendments to the text of the City of Placerville's General Plan Land Use/Circulation Diagrams and Standards document as it relates to the Functional

Classification of a number of streets within the City, including an updated Circulation Plan Diagram, and authorize a CalTrans California Road System (CRS) maps amendment request. The motion was passed by the following vote:

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

11.5 Adopt a Resolution Establishing the Appropriation Limit (Gann) for Fiscal Year 2011/2012 and Determining Compliance with Government Code Section 7910 (Mr. Warren)

Resolution No. 8015

Public comment was received from Michael Drobesh. Following Council discussion, it was moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council adopt a Resolution establishing the appropriation limit (Gann) for Fiscal Year 2011/2012 and determining compliance with Government Code Section 7910. The motion was passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Fiscal Year 2012/2013 Budget Adoption (Mr. Warren)

Resolution No. 8016

The Director of Finance summarized the Budget and responded to Council questions. Public comment was received from Sue Rodman. It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council adopt a Resolution approving and adopting the Proposed Fiscal Year 2012/2013 Operating Budget and Capital Improvement Program Budget as presented. 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

13.1 Confirmation of Council Interview Sub-Committee Recommendations for Appointment of the Economic Development Advisory Committee (Ms. Zito)

Public comment was received from Michael Drobesh and Sue Rodman. Following Council discussions, it was moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council confirm the appointments to the Economic Development Advisory Committee. The motion was passed by the following vote:

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

13.2 Adopt a Resolution Authorizing the Director of Finance to Execute Certifications of Direct Charge Wherein the City of Placerville Certifies that the Special Assessments That Are Collected by the County of El Dorado Meet the Requirements of Proposition 218 and Authorizing the County Auditor- Controller to Place the City's Special Assessments on the Fiscal Year 2012/2013 Secured Tax Roll (Mr. Warren)

Resolution No. 8011

Staff responded to Council questions. Following Council discussion, it was moved by Councilmember Borelli and seconded by Vice-Mayor Mattson that the City Council adopt a Resolution authorizing the Director of Finance to execute Certifications of Direct Charge wherein the City of Placerville certifies that the special assessments that are collected by the County of El Dorado meet the requirements of Proposition 218 and authorizing the County Auditor-Controller to place the City's Special Assessments on the Fiscal Year 2012/2013 Secured Tax Roll. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Mattson

NOES: None
ABSENT: None
ABSTAIN: None

14. CITY MANAGER AND STAFF REPORTS

14.1 Animal Control Oral Update (Mr. Morris)

The City Manager presented an oral report on the status of the Animal Control issue.

15. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled City Council meeting on July 10, 2012 include: a Second Reading of an Ordinance regarding Sex Offenders Proximity, a Second Reading of an Ordinance regarding a Zoning Ordinance Amendment, a Second Reading of an Ordinance regarding an Emergency Housing facility, the award of bid for a street overlay project, sewer replacement projects at Cedar Ravine Creek and Hangtown Creek design firm agreement, a report on the process for filling a Council vacancy, El Dorado County Water Agency cost sharing agreement and Banner Parking contract.

16. ADJOURNMENT at 10:26 P.M.

The next Regular Council meeting will be held on July 10, 2012
6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

A Neighborhood Chat is scheduled for July 11, 2012 from 6:00 – 8:00
P.M. at Town Hall. The focus of discussion is Economic Development.

The regularly scheduled Council meeting of July 24, 2012 is cancelled.

Susan Zito, MMC
City Clerk