

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting

**February 14, 2012**

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

**6:00 CLOSED SESSION**

- Govt. Code § 54956.9 Conference with Legal Counsel – Anticipated Litigation  
Two Cases
- Govt. Code § 54957.6 Conference with Labor Negotiator: Agency Negotiator Patrick  
Clark, Employee Organization: Placerville Police Officers  
Association

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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 7:15 P.M.*

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

**3. ANNOUNCEMENTS TO THE PUBLIC**

*The City Manager noted that a brochure entitled, “The City Council Welcomes You!” was available at the entrance to the Council Chambers. This brochure explains Council meeting protocol for the public and was requested by a member of the public at the Council Workshop on February 8, 2012.*

**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**

*The Mayor noted that Item 11.1, A Public Hearing regarding the Housing Element, would be removed from this Agenda and rescheduled to the February 28, 2012 regularly scheduled Council meeting. He noted that a noticing requirement had not been met and that it would be noticed properly prior to the January 28<sup>th</sup> meeting. It was then moved by Councilmember Borelli and seconded by Councilmember Machado that the City Council adopt the Agenda as modified. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Hagen, Machado  
NOES: None  
ABSENT: Mattson  
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.

**7.1 Written Communications**

- A. *Letter from the City Manager to Roger Trout, Director of El Dorado County Development Services regarding the Diamond Dorado Retail Center – DEIR Review*
- B. *Letter from the City Manager to Shawna Purvines, Project Planner, El Dorado County Development Services regarding the The Crossing at El Dorado – Initial Consultation*

*The Council commended staff on the letters and requested that both letters be posted on the City website.*

## **7.2 Oral Communication**

*No oral comments were noted.*

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

*Councilmember Machado reported that he and Councilmember Hagen, along with City staff, participated in a meeting with representatives from El Dorado Irrigation District (EID) regarding City water rates. He also noted that he and Councilmember Hagen had participated in two meetings with the City Manager regarding the City's Information Technology division. Councilmember Machado reported on a recent bad-check writing event on Main Street, involving several merchants and noted that the perpetrator had been arrested and is currently in jail in another county. He also clarified a recent Mountain Democrat article reporting on the sale of City Hall and noted that the transaction was still in escrow.*

*Councilmember Borelli reported on recent board meetings of both the El Dorado County Transportation Commission (EDCTC) and the El Dorado Transit Authority (EDCTA). She also paraphrased a letter from Interim Public Works Director Stong to a member of the public criticizing the Placerville Drive connector, at the Highway 50 eastbound on-ramp, and recent accidents in that area. Mr. Stong's letter reiterated that the roadway in question is CalTrans designed and maintained and that staff has requested that CalTrans improve sight visibility at the eastbound approach to the on-ramp. CalTrans has an improvement project planned for this summer. Councilmember Borelli inquired if the City had received a response from Comcast to a letter written by the City regarding the Sacramento Hill cell tower site. She also requested that staff update the Council at a future meeting regarding the abatement issue involving logging at a property on Benham Street. The Council concurred with Councilmember's Borelli's request and staff will prepare a report regarding the Benham Street issue at a future Council meeting.*

*Councilmember Hagen reported on a recent EDCTC meeting. He also reported that he had recently spoken to an elementary school class. Councilmember Hagen requested that staff prepare an annual meeting calendar for the calendar year to allow better long-range planning for staff and Council. He noted that several local agencies including the Board of Supervisors and the EDCTC utilize yearly meeting calendars.*

*Mayor Acuna congratulated Councilmember Hagen who was recently elected as Vice-Chair of the EDCTC. The Mayor also noted that Councilmember Hagen*

would be attending the annual Sacramento Metro Chamber Cap-to-Cap program in Washington, D.C. and his expenses would be paid by EDCTC. Mayor Acuna reported that at a recent EDCTC meeting, a status report on the Freeway Service Patrol, funded by the EDCTC, indicated that this service was positively received by the public and served a useful function. The Mayor also requested that the City Manager research limits of budget authority for other local agencies to determine if the City Manager's current \$5,000 budget limit should be raised. This would allow the City Manager budget authority to approve urgent issues, within the approved budget, without the need for Council action.

## **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 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.

### **9.1 Minutes of the Regular City Council Meeting of January 24, 2012 (Ms. Zito)**

*Approved the Minutes of the regularly scheduled Council meeting of January 24, 2012.*

### **9.2 Warrant Register (Mr. Warren)**

*Approved the Warrant Register.*

### **9.3 Payroll Register (Mr. Warren)**

*Approved the Payroll Registers for pay periods 15 and 16.*

### **9.4 Acknowledge and File the Quarterly Investment Report for the Period Ending December 31, 2011 (Mr. Warren)**

*Acknowledged and filed the Quarterly Investment Report for the period ending December 31, 2011.*

### **9.5 Acknowledge and File the Measure J Financial Report for the Quarter Ended December 31, 2011 (Mr. Warren)**

*Acknowledged and filed the Measure J Financial Report for the quarter ended December 31, 2011.*

- 9.6 Adopt A Resolution Approving Contract Change Order (CCO) No. 1, a deduction in the amount of \$3,212.81 with Teichert Construction for the Hocking Street and Morrene Drive Overlay Project (CIP #41009) and Authorizing the City Manager to Execute Said CCO; and Liquidating the Budget Appropriation of Proposition 1B Revenue in the Amount of \$41,254 for the Hocking Street and Morrene Drive Overlay Project (CIP #41009); and Approving a \$9,141 Budget Appropriation from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay Project; and Adopt a Resolution Accepting the Hocking Street and Morrene Drive Overlay Project (CIP #41009) and All Associated Work as Complete, Authorizing the Public Works Director to Execute a Notice of Completion and Instructing the City Clerk to Record Said Notice with the El Dorado County Recorder's Office; and Authorizing the Finance Director to Release all Remaining Retention Being Held for Construction Security, Thirty (30) Days after the Date of Notice of Completion Filing; and 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 (Mr. Stong)**

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

- 9.7 Adopt a Resolution Authorizing the City Manager to Execute two Program Supplement Agreements to Master Administering Agency-State Agreement No. 03-501R as follows:**
- a. Program Supplement Agreement 011-N for the Preliminary Engineering Phase of the El Dorado Trail – Clay Street to Bedford Avenue Project (CIP 41202)**
  - b. Program Supplement Agreement 012-N for the Right of Way Phase of the Western Placerville Interchanges Phase 1A/1B Project (CIP 40705) (Mr. Stong)**

*Pulled by Councilmember Hagen and re-numbered as Item 13.2*

*It was moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council approve the Consent Calendar as modified. The motion was passed by the following vote*

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

**10. ORDINANCES – None Scheduled**

**11. PUBLIC HEARINGS**

**11.1 Conduct a Public Hearing and Seek Public Comment on the 2011 Amendments to the City’s 2008-2013 Housing Element (Mr. Calfee)**

*Under Item 5, Adoption of Agenda, this item was re-scheduled to the regular Council meeting of January 28, 2012.*

**12. DISCUSSION/ACTION ITEMS**

**12.1 Recommendation that the City Council Acknowledge and File the Placerville Police Department Annual 2011 Crime Statistics Report (Chief Nielsen)**

*The Chief of Police presented a PowerPoint presentation of the 2011 Crime Statistics and responded to Council questions. Public comment was received from George Lowery. Following Council discussion, by consensus of the Council, the Placerville Police Department Annual 2011 Crime Statistics Report was acknowledged and filed.*

**12.2 Appoint Two Councilmembers to Participate in Two-on-Two Committee Meetings with Appointees from the El Dorado County Board of Supervisors (Mr. Morris)**

*The City Manager presented an overview of the issue and responded to a question regarding meeting frequency. The City Manager suggested that this Committee may meet quarterly. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Machado that Councilmember Borelli and Vice-Mayor Mattson be appointed to participate in two-on-two committee meetings with appointees from the El Dorado County Board of Supervisors. The motion was passed by the following vote:*

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

**12.3 Adopt a Resolution Authorizing Staff to Circulate the Wastewater Adjustment Request Form (Attachment “A”) with the March 2012 Utility Bill and Make the Form Available on the City’s Website and Facebook Page; Review Residential Water Consumption on a Case-by-Case Basis for the Period of December 2011 and February 2012 Upon Receiving a Completed Wastewater Adjustment Form; and Calculate Residential Wastewater Charges From June 16, 2012 to June 15, 2013, based on the Water Consumption From December 2010 and February 2012 Due to the Unusually Dry Weather Conditions Experienced During that Time (Mr. Warren)**

**Resolution No. 7971**

*The Director of Finance presented an overview of the issue and responded to Council questions. Following Council discussion it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing staff to:*

- 1. Circulate the wastewater adjustment request form (Attachment “A”) with the March 2012 utility bill and make the form available on the City’s website and Facebook page; and*
- 2. Review residential water consumption on a case-by-case basis for the period of December 2011 and February 2012 upon receiving a completed wastewater adjustment request form; and*
- 3. Calculate residential wastewater charges from June 16, 2012 to June 15, 2013, based on the water consumption from December 2010 and February 2011 when the Director of Finance or designee determines a ratepayer had increased their irrigation use between December 2011 and February 2012 due to the unusually dry weather conditions experienced during that time.*

*The motion was passed by the following vote:*

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

**12.4 Adopt a Resolution Approving a Salary Range for Positions of Director of Community Services and Director of Community Development and Engineering (Mr. Morris)**

**Resolution No. 7972**

*The City Manager noted that the recruitment for Director of Community Development and Engineering had begun and that applications have already been received. He requested that the City Council approve the salary range for the new position, as well as the salary adjustment requested for the Director of Community Services in recognition of his increased responsibilities. Following Council discussion, it was moved by Councilmember Machado and seconded by Councilmember Borelli that the City Council adopt a Resolution approving a salary range for positions of Director of Community Services and Director of Community Development and Engineering. The motion was passed by the following vote:*

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

**12.5 Adopt a Resolution Authorizing the City Manager to Solicit Bids, Select a Vendor and Approve the Expenditures for the Repair of the Public Safety Building/Police Department HVAC System Not to Exceed \$20,000; and a Budget Appropriation of up to \$20,000 from the General Fund Contingency for Unforeseen Expenditures Account for the Repair of the Public Safety Building/Police Department HVAC System (Chief Nielsen)**

**Resolution No. 7972 - A**

*The Chief of Police responded to Council questions. The Council commended the Chief and the Building Official who assisted in drafting the Request for Proposals. It was then moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council adopt a Resolution authorizing the following actions:*

- 1. The City Manager to solicit bids, select a vendor and approve the expenditures for the repair of the Public Safety Building/Police Department HVAC system not to exceed \$20,000; and*
- 2. A budget appropriation of up to \$20,000 from the General Fund Contingency for Unforeseen Expenditures account for the repair of the Public Safety Building/Police Department HVAC system.*

*The motion was passed by the following vote:*

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

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

*Councilmember Machado stated that he would abstain from both Items 13.1 and 13.2 and exited the Council Chambers.*

- 13.1 Adopt A Resolution Approving Contract Change Order (CCO) No. 1, a deduction in the amount of \$3,212.81 with Teichert Construction for the Hocking Street and Morrene Drive Overlay Project (CIP #41009) and Authorizing the City Manager to Execute Said CCO; and Liquidating the Budget Appropriation of Proposition 1B Revenue in the Amount of \$41,254 for the Hocking Street and Morrene Drive Overlay Project (CIP #41009); and Approving a \$9,141 Budget Appropriation from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay Project; and Adopt a Resolution Accepting the Hocking Street and Morrene Drive Overlay Project (CIP #41009) and All Associated Work as Complete, Authorizing the Public Works Director to Execute a Notice of Completion and Instructing the City Clerk to Record Said Notice with the El Dorado County Recorder's Office; and Authorizing the Finance Director to Release all Remaining Retention Being Held for Construction Security, Thirty (30) Days after the Date of Notice of Completion Filing; and 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 (Mr. Stong)**

#### **Resolution No. 7967**

*Councilmember Hagen noted that he had pulled this item to note that this item had a reduction in cost and that the project was funded by the American Recovery and Reinvestment Act (ARRA) monies. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:*

1. *Approving Contract Change Order (CCO) No. 1, a deduction in the amount of \$3,212.81 with Teichert Construction for the Hocking Street and Morrene Drive Overlay project (CIP #41009) and authorizing the City Manager to execute said CCO: and*
2. *Liquidating the budget appropriation of Proposition 1B revenue in the amount of \$41,254 for the Hocking Street and Morrene Drive Overlay project (CIP #41009); and*
3. *Approving a \$9,141 budget appropriation from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay project (CIP #41009)*

**Resolution No. 7968**

*It was further moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:*

1. *Accepting the Hocking Street and Morrene Drive Overlay project (CIP#41009) and all associated work as complete, authorizing the Public Works Director to execute a Notice of Completion and Instructing the City Clerk to record said Notice with the El Dorado County Recorder's Office; and*
2. *Authorizing the Finance Director to release all remaining retention being held for construction security, thirty (30) days after the date of Notice of Completion filing; and*
3. *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.*

*The motion was passed by the following vote:*

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

**13.2 Adopt a Resolution Authorizing the City Manager to Execute two Program Supplement Agreements to Master Administering Agency-State Agreement No. 03-501R as follows:**

- a. **Program Supplement Agreement 011-N for the Preliminary Engineering Phase of the El Dorado Trail – Clay Street to Bedford Avenue Project (CIP 41202)**
- b. **Program Supplement Agreement 012-N for the Right of Way Phase of the Western Placerville Interchanges Phase 1A/1B Project (CIP 40705) (Mr. Stong)**

*Councilmember Hagen noted that he had pulled this item to highlight that the El Dorado Trail extension project had been delayed due to litigation regarding the Round-a-Bout project, although the trail was not part of the litigation. He further noted that funding for this project was a combination of several federal funding sources. The Interim Public Works Director responded to Council questions and noted that trail construction could occur this construction season. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt two Resolutions authorizing the City Manager to execute two Program Supplement Agreements to Master Administering Agency-State Agreement No. 03-501R as follows:*

**Resolution No. 7969**

*Program Supplement Agreement 011-N for the Preliminary Engineering Phase of the El Dorado Trail – Clay Street to Bedford Avenue Project (CIP 41202)*

**Resolution No. 7970**

*Program Supplement Agreement 012-N for the Right of Way Phase of the Western Placerville Interchanges Phase IA/1B Project (CIP 40705)*

*The motion was passed by the following vote:*

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

*Councilmember Machado re-entered Council Chambers.*

## **14. CITY MANAGER AND STAFF REPORTS**

### **14.1 Oral Report – Veterans Memorial Plaque (Mr. Youel)**

*The Director of Community Services reported on recent public workshops regarding the Bedford Avenue mini-park and responded to Council questions. He noted that this item would be scheduled for Council consideration later this spring.*

### **14.2 Set Date for First Community Coffee (Mr. Morris)**

*The City Manager requested that a Main Street Coffee Shop, such as Centro or Zia's be considered for the first Community Coffee event. Future Community Coffee events will take place on Broadway and Placerville Drive. Following Council discussion, by consensus of the Council, the first Community Coffee will be scheduled for Wednesday, February 29<sup>th</sup> at 8:00 A.M. at a Main Street Coffee shop to be determined. These events are intended to encourage the public to meet with two Councilmembers regarding issues of local concern. Mayor Acuna and Vice-Mayor Mattson will participate in this first event on February 29<sup>th</sup>.*

## **15. UPCOMING ITEMS**

*Items tentatively scheduled for the February 28, 2012 Council meeting include the Housing Element, a presentation regarding the Buxton Study, a Streets Report on recommended projects, a presentation by the Community Resource Center on the homeless issue, a Cooperative Agreement on the Western Placerville Interchanges project, a Request for Proposals for a sewer relocation project on Cedar Ravine, and the mid-year budget report.*

## **16. ADJOURNMENT 9:20 P.M.**

The next Regular Council meeting will be held on February 28, 2012, 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC  
City Clerk