

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
July 12, 2011

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
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, Machado
 Absent: Mattson

3. ANNOUNCEMENTS TO THE PUBLIC

No announcements were noted.

4. CLOSED SESSION REPORT – City Attorney Driscoll

No Closed Session was held.

5. ADOPTION OF AGENDA

It was moved by Vice-Mayor Acuna 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, Machado
NOES: None
ABSENT: Mattson
ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Proclamation Declaring August 2, 2011 as National Night Out in the City of Placerville (Chief Nielsen)

The Mayor read the proclamation and presented it to the Chief of Police. The Chief thanked the SHIELD volunteers who make this annual event possible.

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.

7.1 Oral Communication

Barry Batchelor addressed the Council regarding a property on Mosquito Road owned by the Mayor.

7.2 Written Communication

No written communications were noted.

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 or audience wishes to remove an item for discussion.

8.1 Approve the Minutes of the Regular City Council Meeting of June 28, 2011 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting June 28, 2011.

8.2 Approve the Minutes of the Special Council Budget Workshop of May 31, 2011 (Ms. Zito)

Approved the Minutes of the Special Council Budget Workshop of May 31, 2011.

8.3 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.4 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.5 Adopt a Resolution Ratifying Amendment No. 2 to State Revolving Fund Loan Agreement No. 05-802-550-2 with the State Water Resources Control Board (Mr. Warren)

Resolution No. 7920

Adopted a Resolution ratifying Amendment No. 2 to State Revolving Fund loan agreement No. 05-802-550-2 with the State Water Resources Control Board.

8.6 Adopt a Resolution Approving an Agreement with Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) for Cleaning of the Public Parking Garage, Main Street and Nine Other Public Parking Facilities (Mr. Morris)

Pulled by Councilmember Hagen and re-numbered as Item 9.1

8.7 Adopt a Resolution for the Following Council Action: (Mr. Pesses)

- 1. Rejecting the Bid Protest Filed by Freddi's Paving; and**
- 2. Awarding a Construction Contract in the Amount of \$286,217 to Teichert Construction for the Asphalt Overlay 2011 – Hocking Street and Morrene Drive Overlay Project (CIP#41009) and Authorizing the Mayor to Execute Same; and**
- 3. Liquidating \$41,254 of Proposition 1B Revenue from the Placerville Drive Pavement Repair Project (CIP#40901 Budget; and**
- 4. Approving a Budget Appropriation of Proposition 1B Revenue in the Amount of \$41,254 for the Hocking Street and Morrene Drive Overlay Project (CIP#41009); and**
- 5. Liquidating \$15,000 from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay Project (CIP#41009)**

Pulled by Mayor Machado and re-numbered as Item 9.2

8.8 Adopt a Resolution Approving a Consulting Services Agreement with Psomas, in an Amount Not to Exceed \$30,692 for the 2011/2012 FY to Provide Routine Engineering Services to Assist the City in Complying with the City's NPDES Permit for the Hangtown Creek Water Reclamation Facility (Mr. Pesses)

Resolution No. 7923

Adopted a Resolution approving a Consulting Services Agreement with Psomas, in an amount not to exceed \$30,692 for the 2011/2012 FY, to provide routine engineering services to assist the City in complying with the City's NPDES Permit for the Hangtown Creek Water Reclamation Facility.

8.9 Adopt a Resolution Accepting Four Offers of Dedication of Road Right of Way Along Big Canyon Creek Road, and Rejecting the Improvements in the Areas of Dedications for Maintenance, as Follows: (Mr. Pesses)

1.
 - a. **Accept the Offer of Street Dedication to the City of Placerville from Joyce Floyd for road and public utility purposes at 2267 and 2283 Big Canyon Creek Road.**
 - b. **Accept the Offer of Street Dedication to the City of Placerville from Philip F. and Doris M. Corson for road and public utility purposes at 2340 Big Canyon Creek Road.**
 - c. **Accept the Offer of Street Dedication to the City of Placerville from Loren T. and Michelle M. Moore for road and public utility purposes at 1041, 1049 and 1059 Kimi Way.**
 - d. **Accept the Offer of Street Dedication to the City of Placerville from John M. and Deborah C. Kling for road and public utility purposes at 1082 Kimi Way.**
2. **Authorizing the Mayor to execute same and directing the City Clerk of the City of Placerville to record said Offers with the Office of the El Dorado County Recorder on behalf of the City.**

Resolution No. 7924

Adopted a Resolution accepting Four Offers of Dedication of Road Right of Way Along Big Canyon Creek Road, and rejecting the improvements in the areas of dedications for maintenance, as follows: (Mr. Pesses)

1.
 - a. *Accept the Offer of Street Dedication to the City of Placerville from Joyce Floyd for road and public utility purposes at 2267 and 2283 Big Canyon Creek Road.*
 - b. *Accept the Offer of Street Dedication to the City of Placerville from Philip F. and Doris M. Corson for road and public utility purposes at 2340 Big Canyon Creek Road.*
 - c. *Accept the Offer of Street Dedication to the City of Placerville from Loren T. and Michelle M. Moore for road and public utility purposes at 1041, 1049 and 1059 Kimi Way.*
 - d. *Accept the Offer of Street Dedication to the City of Placerville from John M. and Deborah C. Kling for road and public utility purposes at 1082 Kimi Way.*
2. *Authorizing the Mayor to execute same and directing the City Clerk of the City of Placerville to record said Offers with the Office of the El Dorado County Recorder on behalf of the City.*

8.10 Adopt a Resolution Approving an Agreement with El Dorado Transit for the Main Street Shuttle (Mr. Morris)

Resolution No. 7925

Adopted a Resolution approving an Agreement with El Dorado Transit for the Main Street Shuttle.

8.11 Adopt a Resolution Authorizing the City Manager to Execute a Consulting Services Agreement with Paragon Geotechnical Consulting Engineers, in an Amount of \$20,000 to Provide Geotechnical Consulting Services to the City of Placerville in the Calendar Years 2011 and 2012 on an "As Needed" Basis (Mr. Pesses)

Resolution No. 7926

Adopted a Resolution authorizing the City Manager to execute a Consulting Services Agreement with Paragon Geotechnical Consulting Engineers, in an amount of \$20,000 to provide geotechnical consulting services to the City of Placerville in the calendar years 2011 and 2012, on an "As Needed" basis.

8.12 Adopt a Resolution Approving the “First Amendment to the Agreement to Share Costs Between the El Dorado County Water Agency and the City of Placerville” Adding One Year to the Effective Term of the Agreement (Mr. Pesses)

Resolution No. 7927

Adopted a Resolution Approving the “First Amendment to the Agreement to Share Costs Between the El Dorado County Water Agency and the City of Placerville” adding one year to the effective term of agreement.

8.13 Recommendation to Notify the Media and Public, by Approval of This Request, To Reschedule the Previously Cancelled City Council Meeting of July 26, 2011 (Ms. Zito)

Pulled by audience member Evelyn Veerkamp and re-numbered as Item 9.3

It was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli to 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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

9.1 Adopt a Resolution Approving an Agreement with Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) for Cleaning of the Public Parking Garage, Main Street and Nine Other Public Parking Facilities (Mr. Morris)

Resolution No. 7921

Councilmember Hagen declared a conflict of interest and noted that he serves on the Board of the M.O.R.E. Workshop and recused himself from the meeting. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution approving an agreement with Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) for cleaning of the Public Parking Garage, Main Street, and nine other public parking facilities. The motion was passed by the following vote:

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

Following the vote, Councilmember Hagen re-entered the Council Chambers.

9.2 Adopt a Resolution for the Following Council Action: (Mr. Pesses)

- 1. Rejecting the Bid Protest Filed by Freddi's Paving; and**
- 2. Awarding a Construction Contract in the Amount of \$286,217 to Teichert Construction for the Asphalt Overlay 2011 – Hocking Street and Morrene Drive Overlay Project (CIP#41009) and Authorizing the Mayor to Execute Same; and**
- 3. Liquidating \$41,254 of Proposition 1B Revenue from the Placerville Drive Pavement Repair Project (CIP#40901 Budget; and**
- 4. Approving a Budget Appropriation of Proposition 1B Revenue in the Amount of \$41,254 for the Hocking Street and Morrene Drive Overlay Project (CIP#41009); and**
- 5. Liquidating \$15,000 from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay Project (CIP#41009)**

Resolution No. 7922

Mayor Machado declared a conflict of interest and noted that he owned property in the paving overlay project area and recused himself from the meeting. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council adopt a Resolution for the following Council action: (Mr. Pesses)

- 1. Rejecting the Bid Protest filed by Freddi's Paving; and*
- 2. Awarding a Construction Contract in the Amount of \$286,217 to Teichert Construction for the Asphalt Overlay 2011 – Hocking Street and Morrene Drive Overlay Project (CIP#41009) and Authorizing the Mayor to execute same; and*
- 3. Liquidating \$41,254 of Proposition 1B Revenue from the Placerville Drive Pavement Repair Project (CIP#40901 Budget; and*
- 4. Approving a Budget Appropriation of Proposition 1B Revenue in the Amount of \$41,254 for the Hocking Street and Morrene Drive Overlay Project (CIP#41009); and*
- 5. Liquidating \$15,000 from the Water Enterprise Fund for the Hocking Street and Morrene Drive Overlay Project (CIP#41009)*

The motion was passed by the following vote:

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

Following the vote, Mayor Machado re-entered the Council Chambers.

9.3 Recommendation to Notify the Media and Public, by Approval of This Request, To Reschedule the Previously Cancelled City Council Meeting of July 26, 2011 (Ms. Zito)

Public comment was received from Evelyn Veerkamp who requested clarification on the reason that the meeting was re-scheduled. The City Manager responded to the question and noted that this evening's agenda includes a First Reading of an Ordinance and the July 26th meeting is scheduled for the Second Reading, as well as any other time sensitive issues that may require action prior to the next regular Council meeting on August 9, 2011. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that by approval of this request, the media and public are notified that the previously cancelled City Council meeting of July 26, 2011 is rescheduled. The motion was passed by the following vote:

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

10. ORDINANCES

10.1 Introduce an Uncodified Ordinance Agreeing, Under Protest, to Comply with the Provisions of the Voluntary Alternative Redevelopment Program Pursuant to ABX1 27 to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Placerville Which Would Otherwise be Subject to Suspension and Dissolution (Mr. Morris)

The City Manager summarized the necessity of adopting an Ordinance for compliance with ABX1 27. It was then moved by Councilmember Hagen that the City Council introduce an Uncodified Ordinance agreeing, Under Protest, to Comply with the Provisions of the Voluntary Alternative

Redevelopment Program Pursuant to ABX1 27 to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of the City of Placerville Which Would Otherwise be Subject to Suspension and Dissolution. It was further moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council waive the First Reading of said Ordinance. The motion was passed by the following vote:

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

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Acknowledge and File the Basic Financial Statements, Supplemental Information and Independent Auditors' Report for Fiscal Year 2009/2010 (Mr. Warren)

The Director of Finance noted that Mr. Gary Caporicci of Caporicci and Larson, Certified Public Accountants, scheduled to present an overview of the 2009/2010 audit report, was unable to be present at this meeting due to a major traffic accident that has closed down Highway 50 for the remainder of this evening. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Hagen that the City Council continue this item to a regularly scheduled Council meeting in August, pending Mr. Caporicci's availability. The motion was passed by the following vote:

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

12.2 Adopt a Resolution Approving the Implementation of a Water Meter Policy for Construction of All New Single Family Residences (Mr. Pesses)

Resolution No. 7928

The Director of Public Works presented an overview of the issue and responded to Council questions. It was then moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt

a Resolution approving the implementation of a Water Meter Policy for the construction of all new single family residences. The motion was passed by the following vote:

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

12.3 Provide Direction to City Staff Regarding the Declaration of Abandoned Onsite Signs and Structures as Public Nuisances and, if so Directed, Schedule the Matter for the Next Available City Council Meeting (Mr. Calfee)

The Director of Community Development presented an overview of the issue and responded to Council questions. Public comment was received from Kathi Lishman. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council direct City Staff regarding the declaration of abandoned onsite signs and structures as public nuisances and to schedule the matter for the next available City Council meeting. The motion was passed by the following vote:

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

12.4 Adopt a Resolution Authorizing the Community Development Director of the City of Placerville to File a Preliminary Application with the El Dorado Local Agency Formation Commission (LAFCO) for the Annexation of the Areas Known as City-Wide Island Annexations (Mr. Calfee)

Resolution No. 7929

Following a summary of the issue by the Director of Community Development and response to Council questions, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the Director of Community Development to file a preliminary application with the El Dorado County Local Agency Formation Commission (LAFCO) for the annexation of the areas known as city-wide island annexations. The motion was passed by the following vote:

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

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

- 13.1 Mayor Machado reassigned Councilmember Borelli to serve as the City's representative on SEDCorp. Mayor Machado will serve as the alternate. Staff will prepare a letter to SEDCorp indicating the change.
- 13.2 Councilmember Hagen noted that Sacramento Area Council of Governments (SACOG) is on summer recess during the month of July.
- 13.3 Councilmember Borelli noted that both the El Dorado Transit Authority and the El Dorado County Transportation Commission will take summer recesses during part of July.

14. CITY MANAGER AND STAFF REPORTS

14.1 Oral Report from the Director of Community Services Regarding the Viet Nam Memorial Plaques

The Director of Community Services reported that he has been working with CalTrans and other interested parties in relocating the Vietnam memorial plaques, some of which are currently located on Main Street and some that are housed in Town Hall, to a new Memorial site located at the small park located on Bedford Avenue, adjacent to the District Attorney's offices. This site will also incorporate the historic bell that has been housed temporarily at the El Dorado County Museum, during the Highway 50 Operational Improvement project. As information becomes available, the Director of Community Services will bring this issue back to the Council for consideration.

15. UPCOMING ITEMS

The item tentatively scheduled for the July 26, 2011 Council meeting will be the Second Reading of an Ordinance regarding ABx1 27.

16. ADJOURNMENT at 8:20 P.M.

The next Regular Council meeting will be held on July 26, 2011: 6:00 P.M.
Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk