

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting  
**June 28, 2011**

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 P.M. CLOSED SESSION**

Pursuant to the cited authority (all references to the Government Code), the City Council will hold a Closed Session to discuss the following items:

- |                    |   |
|--------------------|---|
| Govt. Code 54957.6 | Conference with Labor Negotiator<br>Agency Negotiator: Patrick Clark<br>Employee Organization: Unrepresented Units                          |
| Govt. Code 54956.9 | Conference with Legal Counsel – Anticipated Litigation –<br>one case  |
| Govt. Code 54956.9 | Conference with Legal Counsel – Existing Litigation –<br>Steiny vs. Western Water and City of Placerville,<br>Case No. PC 20090707          |
|                    | Conference with Legal Counsel – Existing Litigation –<br>Alexander v. Placerville, et. al. U.S.D.C. E. D. Cal Case No.<br>2:09-cv-03368-DAD |

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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 7:10 P.M. The Pledge of Allegiance to the Flag was recited.*

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

**3. ANNOUNCEMENTS TO THE PUBLIC**

**3.1 July 4<sup>th</sup> Blast (Chief Nielsen)**

*The Chief invited the public to this annual event and noted that it would be held at the El Dorado County Fairgrounds on Saturday, July 2<sup>nd</sup>.*

**3.2 El Dorado County Law Enforcement vs. Golden State Road Warriors Charity Basketball Game to Benefit the USO – July 9, 2011 3:00 P.M. at Union Mine High School Gymnasium (Chief Nielsen)**

*The Chief invited the public to attend this fundraiser for the USO to be held on July 9<sup>th</sup> at the Union Mine High School gymnasium. Local law enforcement will participate in wheelchairs in a charity competition with the Golden State Road Warriors.*

**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 the Redevelopment Agency meeting would be scheduled following the final discussion item, Item 12.4, this evening. It was then moved by Councilmember Borelli and seconded by Vice-Mayor Acuna that the City Council adopt the Agenda as modified. The motion was passed by the following vote:*

AYES: Acuna, Borelli, Hagen, Machado, Mattson  
NOES: None  
ABSENT: None  
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 Oral Communication**

*Barry Batchelor addressed the Council regarding the Community Pride art project at the historic City Hall, approved by the Council at the May 24, 2011 Council meeting. He also suggested a mining motif to disguise cell towers. He further commented on referendum petition signature gatherers.*

## **7.2 Written Communications**

*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 Minutes of the Regular City Council Meeting of June 14, 2011 (Ms. Zito)**

*Approved the Minutes of the regularly scheduled Council meeting of June 14, 2011.*

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

*Approved the Warrant Register.*

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

*Approved the Payroll Register.*

### **8.4 Adopt a Resolution Authorizing the Director of Finance to Execute Certificates of Direct Charge Wherein the City of Placerville Certifies that the Special Assessments That Are Collected by the County of El Dorado and Meet the Requirements of Proposition 218 (Mr. Warren)**

#### **Resolution No. 7908**

*Adopted a Resolution authorizing the Director of Finance to execute the 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.*

**8.5 Adopt Resolutions Regarding an Amendment to Salary and Benefit Provisions for Unrepresented Employees (Mr. Morris)**

*Adopted the following Resolutions:*

**Resolution No. 7909**

1. *A Resolution of the City Council of the City of Placerville Adopting an Amendment to Salary and Benefit Provisions for the Employees in the Unrepresented Supervisory Unit Classifications.*

**Resolution No. 7910**

2. *A Resolution of the City Council of the City of Placerville Adopting an Amendment to Salary and Benefit Provisions for the Employees in the Unrepresented Executive Management Unit Classifications.*

**Resolution No. 7911**

3. *A Resolution of the City Council of the City of Placerville Approving the Continuation of the 10% Reduction in Councilmember Salary Through the Fiscal Year Ending June 30, 2012.*

**Resolution No. 7912**

4. *A Resolution of the City Council of the City of Placerville Adopting an Amendment to Salary and Benefit Provisions of the Employees in the Unrepresented Confidential Unit Classifications.*

**8.6 Direct Staff to Continue to Research Options for Expanding the Ability of the Public to Access Council Meetings Electronically (Ms. Zito)**

*Pulled by Mayor Machado and re-numbered as Item 9.1*

**8.7 Adopt a Resolution Declaring as Surplus, the City's Non-Compliant 2004 Ford F550 Diesel Engine Dump Truck (VIN#1FDAF56P55ED32553), and Authorizing Staff to Dispose of Same Through Auction or as Trade-In Towards the Purchase of a Replacement Vehicle (Mr. Pesses)**

**Resolution No. 7913**

*Adopted a Resolution declaring as surplus the City's non-compliant 2004 Ford F550 Diesel engine dump truck (VIN #1FDAF56P55ED32553), and*

*authorizing staff to dispose of same through auction or as trade-in towards the purchase of a replacement vehicle.*

**8.8 Adopt a Resolution Approving an Addendum to the Memorandum of Understanding (MOU) Between the City of Placerville and the IUOE, Local 39 (Mr. Morris)**

**Resolution No. 7914**

*Adopted a Resolution approving an addendum to the Memorandum of Understanding (MOU) between the City of Placerville and the IUOE, Local 39.*

**8.9 Adopt a Resolution Ratifying a Time and Materials Contract with Wunschel & Sons General Engineering in the Amount of \$11,125 for the Purpose of Replacing Water Valves in the Intersection of Main Street and Pacific Street and Approving a Budget Appropriation from the Water Enterprise Fund in the Amount of \$13,125 for the Water Valve Replacement at Main Street and Pacific Street (CIP #41111) (Mr. Pesses)**

**Resolution No. 7915**

*Adopted a Resolution for the following action:*

- 1. Ratifying a time and materials contract with Wunschel & Sons General Engineering in the amount of \$11,125 for the purpose of replacing water valves in the intersection of Main Street and Pacific Street; and*
- 2. Approving a budget appropriation from the Water Enterprise Fund in the amount of \$13,125 for the Water Valve Replacement at Main Street and Pacific Street (CIP #41111).*

*It was moved by Councilmember Hagen 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, Mattson  
NOES: None  
ABSENT: None  
ABSTAIN: None

**9. ITEMS PULLED FROM THE CONSENT CALENDAR**

**9.1 Direct Staff to Continue to Research Options for Expanding the Ability of the Public to Access Council Meetings Electronically (Ms. Zito)**

*The City Clerk summarized state mandated records retention policies and results of a survey of other California cities that utilize video-streaming technology. Public comment was received from George Lowry. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Hagen that the Council direct staff to continue to research options for expanding the ability of the public to access Council meetings electronically. The motion was passed by the following vote:*

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

**10. ORDINANCES – None Scheduled**

**11. PUBLIC HEARINGS**

**11.1 Adopt a Resolution of the City Council of the City of Placerville Authorizing a Revised Fingerprint Fee of \$20 Per Fingerprint Session (Chief Nielsen)**

**Resolution No. 7916**

*The Chief of Police summarized the results of a fingerprinting fee survey conducted with other law enforcement agencies in the region. Following the Chief's presentation, the Mayor opened the meeting for public comment. No public comment was noted. It was then moved by Councilmember Hagen and seconded by Councilmember Mattson that the City Council adopt a Resolution authorizing a revised fingerprint fee of \$20 per fingerprint session. The motion was passed by the following vote:*

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

**11.2 Adopt a Resolution Approving the Engineer's Reports Attached to the Staff Report and Referenced Herein and Confirming the Assessments and the Diagrams as are Described in Full Detail in the Reports on File with the City Clerk and Directing NBS to Prepare and Submit the Levy of Assessments to El Dorado County for the Placement of the Fiscal Year 2011/2012 Secured Property Tax Roll, and Confirming the Adoption of This Resolution Shall Constitute the Levy of Assessments for the Fiscal Year Commencing July 1, 2011 and Ending June 30, 2012, Pursuant to Section 22631 of the Act (Mr. Warren)**

**Resolution No. 7917**

*The Director of Finance summarized the assessment process and responded to Council questions. The Mayor opened the meeting for public comment. No public comment was noted. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Mattson that the City Council adopt a Resolution for the following action:*

1. *Approving the Engineer's Reports; and*
2. *Confirming the assessments and the diagrams as are described in full detail in the reports on file with the City Clerk; and*
3. *Directing NBS to prepare and submit the levy of assessments to El Dorado County for the placement of the Fiscal Year 2011/2012 secured property tax roll; and*
4. *Confirming the adoption of this Resolution shall constitute the levy of assessments for the Fiscal Year commencing July 1, 2011 and ending June 30, 2012, pursuant to Section 22631 of the Act.*

*The motion was passed by the following vote:*

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

**12. DISCUSSION/ACTION ITEMS**

**12.1 Adopt A Resolution of the City Council of the City of Placerville Approving Both the Operating Budget and the Capital Improvement Program Budget for the Fiscal Year 2011/2012 (Mr. Warren)**

**Resolution No. 7918**

*The Director of Finance summarized the budget process and responded to Council questions. No public comment was noted. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution approving both the Operating Budget and the Capital Improvement Program Budget for the Fiscal Year 2011/2012. The motion was passed by the following vote:*

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

**12.2 Findings to Support City Council’s Granting of an Appeal of the May 3, 2011 Planning Commission Decision to Conditionally Approve Conditional Use Permit (CUP) 10-05 – A Request to Operate and Use a 78-Foot High “Mono-pine” Wireless Communication Facility In a PF, Public Facilities Zone, on Property Owned by the Placerville Union School District (Mr. Calfee)**

*The Director of Community Development summarized the issue and responded to Council questions. Public comment was received from Ray Sarlatte. It was then moved by Councilmember Borelli and seconded by Councilmember Mattson that the City Council adopt findings to support the City Council’s granting of an Appeal of the May 3, 2011 Planning Commission decision to conditionally approve Conditional Use Permit (CUP) 10-05 – A request to operate and use a 78-foot high “Mono-pine” wireless communication facility in a PF, Public Facilities Zone, on property owned by the Placerville Union School District. The motion was passed by the following vote:*

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

**12.3 Adopt a Resolution Approving Bi-Monthly Discounts to Sewer Charges as Presented in Attachment “A” to Become Effective April 16, 2011; and Authorizing Alternate Members of the Measure H Sales Tax Committee, who are either Residential or Commercial Property/Business Owners, to Vote in the Absence of Either a Residential or Commercial Property/Business Owner Member (Mr. Warren)**

**Resolution No. 7919**

*The Director of Finance summarized the Committee's recommendations and responded to Council questions. Committee members Tom Cumpston, Tony Granados, and Susan Rodman addressed the Council and were thanked for their efforts on behalf of the community. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Mattson that the City Council adopt a Resolution for the following action:*

- 1. Approving bi-monthly discounts to sewer charges as presented in Attachment "A" to become effective April 16, 2011; and*
- 2. Authorizing Alternate Members of the Measure H Sales Tax Committee, who are either residential or commercial property/business owners, to vote in the absence of either a residential or commercial property/business owner member.*

*The motion was passed by the following vote:*

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

**12.4 Provide Direction to Staff as to Whether to Pursue Island Annexations Communitywide (Mr. Calfee)**

*The Director of Community Development noted that this item was requested by the Council following last year's presentation by the El Dorado County LAFCO Executive Director, Jose Enriquez. Following Council discussion and staff response to Council questions, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council direct staff to pursue Island Annexations. The motion was passed by the following vote:*

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

*The Mayor adjourned the Council meeting at 8:55 P.M., to the scheduled Redevelopment Agency meeting. The Redevelopment Agency Board Minutes are a separate document.*

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*The Mayor called the regularly scheduled City Council meeting back to order at 9:02 P.M. Councilmember Mattson re-entered the Council Chambers.*

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

Councilmember Hagen reported on a recent Sacramento Area Council of Governments (SACOG) meeting and noted that an El Dorado County Transportation Commission project extending HOV lanes to Cambridge Drive in Cameron Park had been awarded a \$9.5 million grant from SACOG.

Councilmember Mattson reported on a recent Coalition for Change meeting she had attended.

Vice-Mayor Acuna thanked the City Manager and the Public Works Department for their work in securing some additional paving on Main Street in conjunction with the CalTrans Highway 49 Repaving Project.

Mayor Machado commented on a recent Northern California City Clerks newsletter that featured the Placerville City Clerk. The Mayor requested that the VietNam memorial plaques project be agendaized for the next Council meeting. He also noted that the City's recruitment for Historical Advisory Committee members will close on Thursday, June 30<sup>th</sup>. An announcement and application form are available on the City website.

The Mayor further noted that a group of citizens are investigating the possibility of creating a community garden. A status report on Duffey Park was requested for the next meeting, as well as options discussed by staff and the Community Resource Center regarding the feeding of the homeless in Lumsden Park by various faith-based groups. The Mayor also requested a status report on the 301-305 Main Street buildings.

**14. CITY MANAGER AND STAFF REPORTS**

*The City Manager and City Clerk reported on the Community Clean-up Day, held June 25<sup>th</sup> and thanked staff members Gary Pigg and Kelly Segura for volunteering their time for this event.*

**15. UPCOMING ITEMS**

*Items tentatively scheduled for the July 12<sup>th</sup> Council meeting include: award of bid for the Morrene Drive overlay project, Irrevocable Offers of Dedication for several properties adjacent to this project, an agreement for testing services with Paragon and the issue of abandoned pole signs.*

**16. ADJOURNMENT at 9:21 P.M.**

The next Regular Council meeting will be held on July 12, 2011: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

The regularly scheduled Council meeting of July 26, 2011 has been cancelled. The next regularly scheduled Council meeting will be held August 9, 2011.

Susan Zito, MMC  
City Clerk