

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
May 24, 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:

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| Govt. Code 54957.6 | Conference with Labor Negotiator
Agency Negotiator: Patrick Clark
Employee Organization: Police Officers' Association, Local 39, and Unrepresented Units |
| Govt. Code 54957 | Public Employment Performance Evaluation
City Manager Review |
| Govt. Code 54956.8 | Conference with Real Property Negotiator (487 Main Street) |
| Govt. Code 54956.9 | Conference with Legal Counsel – Anticipated Litigation one case |

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, Mattson

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 Founder's Day and Wagon Train Celebration – June 11, 2011 (Chief Nielsen)

The Chief of Police invited the public to participate in the annual Founder's Day and Wagon Train Celebration.

3.2 Status of Highway 49 Overlay Project (Mr. Pesses)

The Director of Public Works summarized the construction schedule and anticipated start date for the overlay project.

3.3 Annual Placerville Clean Up Day June 25, 2011 (Mr. Morris)

The City Manager reminded the public that the annual, free event, will be held at the Mosquito Road Placerville Station from 9:00 a.m. to 3:00 p.m. El Dorado Disposal will provide dumpsters for garbage, yard waste, and e-waste. Snowline Hospice will be accepting gently used items.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Manager noted that the Closed Session item related to the Police Officers' Association Memorandum of Understanding (MOU) is listed on this agenda as Item 8.4. The Council will take action on this item at that time. The City Attorney noted that no other reportable action had been taken in Closed Session.

5. ADOPTION OF AGENDA

The Mayor noted that several items on the agenda would be taken out of order in consideration of audience members and presentations scheduled. Item 11.1, regarding solid waste collection rates would be heard prior to Item 10.1. He further noted that public comment on non-agendized items would be heard following Item 12.3

It was then moved by Councilmember Borelli and seconded by Councilmember Mattson 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

6.1 Oath of Office to Measure H Sales Tax Committee Members: Thomas Cumpston, Anthony Granados, Stacy Mecklenberg, Susan Rodman, Elizabeth Zangari and Alternate Member Art Edwards

The Oath of Office was administered by Administrative Secretary to the Community Development Department.

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

Sharlene McCaslin addressed the Council regarding an incident that occurred at the Saturday Farmer's Market and submitted a letter for the legislative record.

Barry Batchelor addressed the Council regarding a deed to property as it related to Mayor Machado.

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. The reading of the full text of all Resolutions will be waived unless a Councilmember requests otherwise.

8.1 Minutes of the Regular City Council Meeting of May 10, 2011 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of May 10, 2011.

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Recommendation that the City Council Adopt a Resolution Authorizing the City Manager to Execute Any and All Documents Necessary for the Purposes of Obtaining Funds/Grants Pursuant to Federal Grant Opportunities for the Remainder of FY 2010/2011 and For The Entirety of FY 2011/2012 (Chief Nielsen)

Pulled by audience member Mary Dohnke who requested clarification. This item was re-numbered as Item 9.1

8.4 Authorize the Mayor, City Manager and the City's Labor Negotiator to Execute a Memorandum of Understanding and an Addendum with the Placerville Police Officers' Association (Mr. Warren)

Pulled by Councilmember Hagen and re-numbered as Item 9.2

8.5 Adopt a Resolution Approving a Consulting Services Agreement with Youngdahl Consulting Group, Inc. in an Amount Not to Exceed \$29,460 for Materials Testing and Observation for the Point View Drive Extension Project (CIP#40915) (Mr. Pesses)

Resolution No. 7899

Adopted a Resolution approving a Consulting Services Agreement with Youngdahl Consulting Group, Inc. in an Amount Not to Exceed \$29,460 for materials testing and observation for the Point View Drive Extension Project (CIP #40915).

It was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council 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 Recommendation that the City Council Adopt a Resolution Authorizing the City Manager to Execute Any and All Documents Necessary for the Purposes of Obtaining Funds/Grants Pursuant to Federal Grant Opportunities for the Remainder of FY 2010/2011 and For The Entirety of FY 2011/2012 (Chief Nielsen)

Resolution No. 7897

The Chief of Police summarized the need for the request in order to participate in grant opportunities as they become available. He noted that grant acceptance for any grant award, would be submitted to the Council at a regularly scheduled meeting. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the City Manager to execute any and all documents necessary for the purposes of obtaining funds/ grants pursuant to Federal grant opportunities for the remainder of FY 2010/2011 and for the entirety of FY 2011/2012. The motion was passed by the following vote:

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

9.2 Authorize the Mayor, City Manager and the City's Labor Negotiator to Execute a Memorandum of Understanding and an Addendum with the Placerville Police Officers' Association (Mr. Warren)

Resolution No. 7898

Councilmember Hagen pulled this item to thank the Police Officers' Association for their acceptance of the budget realities and of their willingness to continue the cost saving measures and ongoing salary reductions. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the Mayor, City Manager, and the City's labor negotiator to execute a Memorandum of Understanding and an addendum with the Placerville Police Officers' Association. The motion was passed by the following vote:

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

10. ORDINANCES

10.1 **Waive the First Reading of, and Introduce an Ordinance Amending Title 1, Chapter 4; Title 2, Chapter 7; Title 3, Chapters 6 & 9; Title 4, Chapters 1,2,3,4 & 7; Title 6, Chapter 14; Title 8, Chapter 7; and Title 10, Chapters 1, 4, and 5 of the Placerville Municipal Code to correct outdated, inconsistent and redundant language relating to the adoption and enforcement of California Building Codes Within the City (Mr. Calfee)**

The Building Official summarized the need for the amendments to the Municipal Code and responded to Council questions. Public comment was received from Mary Dohnke and Michael Drobesh. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council take the following action:

1. *Introduce an Ordinance amending Title 1, Chapter 4; Title 2, Chapter 7; Title 3, Chapters 6 7 9; Title 4, Chapters 1, 2, 3, 4, & 7; Title 6, Chapter 14; Title 8, Chapter 7; and Title 10, Chapters 1, 4, and 5 of the Placerville Municipal Code to correct outdated, inconsistent and redundant language relating to the adoption and enforcement of California Building Codes within the City.*
2. *Approve amended Ordinance title to read: "An Ordinance amending Title 1, Chapter 4; Title 2, Chapter 7; Title 3, Chapters 6 7 9; Title 4, Chapters 1, 2, 3, 4, & 7; Title 6, Chapter 14; Title 8, Chapter 7; and Title 10, Chapters 1, 4, and 5 of the Placerville Municipal Code to correct outdated, inconsistent and redundant language relating to the adoption and enforcement of California Building Codes within the City;
And Adopting by Reference the California Building Standards Code (California Code of Regulations, Title 24, Parts 1 Through 12); and*
3. *Waive the First Reading of said Ordinance and set the Public Hearing date of June 14th, 2011.*

The motion was passed by the following vote:

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

11. PUBLIC HEARINGS

11.1 Adopt a Resolution Adopting Rates for the Collection of Solid Waste Within the City of Placerville Franchise Area (Mr. Morris)

Resolution No. 7900

Sue Farris, Waste Management District Manager, presented a report to the Council and responded to Council questions. Public comment was received from Wendy Schultz. Following Council discussion, it was moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council adopt a Resolution adopting rates for the collection of solid waste within the City of Placerville Franchise Area. The motion was passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Acknowledge and File the Community Pride 2011 Annual Report and Approve the Proposed Mural Project Located Within the Old City Hall Parking Lot (Mr. Youel)

Community Pride Committee chairperson, Kathi Lishman presented the annual report to the Council. Deb Power, Committee volunteer, presented a request to the Council to approve the proposed mural project located within the Old City Hall parking lot. It was moved by Councilmember Hagen and seconded by Councilmember Mattson that the City Council acknowledge and file the 2011 Annual Report and approve the mural project. The motion was passed by the following vote:

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

12.2 Authorize the City Manager to Execute a Memorandum of Understanding on Behalf of the City of Placerville with the Sacramento Area Council of Governments (SACOG) Creating a Consortium for the Purpose of Developing a Regional Plan for Sustainable Development (Mr. Morris)

Resolution No. 7901

Joe Concannon, Sacramento Area Council of Governments (SACOG) Sustainable Communities Planning Grant Manager, presented an overview of the consortium and responded to Council questions. Public comment was received from Barry Batchelor, Michael Drobesh, Sharlene McCaslin, David Price, Jackie Neau, Kathi Lishman, Mary Dohnke, and Jane (last name unknown). Michael Drobesh submitted documents to the Council for the legislative record. Following Council discussion, it was moved by Vice-Mayor Acuna and seconded by Councilmember Borelli that the City Council authorize the City Manager to Execute a Memorandum of Understanding on Behalf of the City of Placerville with the Sacramento Area Council of Governments (SACOG) Creating a Consortium for the Purpose of Developing a Regional Plan for Sustainable Development. The motion was passed by the following vote:

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

12.3 Conceptually Approve Recommended Changes to Departments of Public Works, Community Development and Community Services. Conceptually Approve Job Descriptions for Director of Community Development and Engineering and Director of Community Services

The City Manager summarized the recommended changes and responded to Council questions. Public comment was received from Steve Neau. Following Council discussion, it was moved by Mayor Machado and seconded by Councilmember Hagen that the City Council conceptually approve recommended changes to departments of Public Works, Community Development and Community Services and conceptually approve job descriptions for Director of Community Development and Engineering, and Director of Community Services.

Following further Council discussion, both the motion and second were withdrawn. It was then moved by Vice-Mayor Acuna and seconded by Councilmember Mattson that the City Manager continue to investigate a reorganization of City departments with the possible establishment of a

Council sub-committee of two members to assist in the reorganization process. The motion was passed by the following vote:

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

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

Councilmember Mattson reported that she had attended the recent Community Coffee event with Senator Gaines and discussed redevelopment.

Councilmember Borelli reported on her recent trip with the Sacramento Metropolitan Chamber of Commerce Cap-to-Cap trip to Washington, D.C. to seek funding for local projects.

Councilmember Hagen reported on his recent attendance at a SACOG meeting and the issues of the Delta Stewardship Council and the Rural Urban Connection.

Mayor Machado noted that he and Councilmember Borelli had been working with Director of Community Services Youel regarding the memorial plaques and an appropriate location for the memorial markers. This item will be agendized for Council consideration at a future Council meeting.

Mayor Machado requested that the City Manager prepare a staff report related to the use of eminent domain used in California cities.

Mayor Machado responded to earlier citizen comments regarding the roundabout project at Cedar Ravine/Main Street/Clay Street and information that was being disseminated in the area of the Saturday Farmer's Market.

13. CITY MANAGER AND STAFF REPORTS

No City Manager nor Staff Reports were noted.

14. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council meeting on June 14, 2011 include: a Second Reading of an Ordinance regarding Building Codes, a Resolution related to the formation of the Redevelopment/Economic

Development Committee, a public hearing on two appeals related to cell tower placement within the City, and a Fiscal Year 2011/2012 budget public hearing.

15. ADJOURNMENT at 10:30 p.m.

The Council meeting adjourned to Closed Session. The Closed Session was adjourned at 10:55 p.m. No reportable action was taken in Closed Session.

A special Council Budget Workshop is scheduled for Tuesday, May 31, 2011 at 5:00 p.m. in the Council Chambers at Town Hall.

The next Regular Council meeting will be held on June 14, 2011: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk