

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting  
**October 26, 2010**

City Council Chambers – Town Hall  
549 Main Street, Placerville, CA 95667  
6:30 P.M. Closed Session  
7:00 P.M. Open Session



2010

Pierre Rivas, Mayor  
David Machado, Vice-Mayor  
Mark Acuna, Councilmember  
Patricia Borelli, Councilmember  
Carl Hagen, Councilmember

**6:30 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 54956.9      Conference with Legal Counsel – Existing Litigation – Two Cases:  
Thomas Koll vs. John Driscoll et al.  
El Dorado County Superior Court, PC 20100638  
  
Thomas Koll vs. Placerville Police Department et al.  
El Dorado County Superior Court, PC20100641



**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**

*Tracy Wickstrom invited the public to attend the Winter Police Service Dog Follies gourmet benefit dinner to be held on November 13, 2010 from 5:30 to 11:00 P.M. at the Diamond Springs Lions Club. Tickets are \$20/person.*

*David Price and Steve May addressed the Council regarding the proposed roundabout at Cedar Ravine/Clay Street/ Main Street.*

**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 Minutes of the Regular City Council Meeting of October 12, 2010 (Ms. Zito)**

*Approved the Minutes of the regularly scheduled Council meeting of October 12, 2010.*

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

*Approved the Warrant Register.*

**8.3 Payroll Registers (Mr. Warren)**

*Approved the Payroll Registers for pay periods 8 and 9.*

**8.4 Biennial Confirmation of the City of Placerville's Conflict of Interest Code (Ms. Zito)**

**Resolution No. 7847**

*Adopted a Resolution confirming the City of Placerville Conflict of Interest Code, attached to the Resolution as Appendix "A", in accordance with the Political Reform Act requiring every local government agency to review its Conflict of Interest Code biennially in October of even-numbered years.*

**8.5 GANN Appropriation Limit (Mr. Warren)**

**Resolution No. 7848**

*Adopted a Resolution establishing the Appropriation Limit (GANN) for Fiscal Year 2010/2011 and determining compliance with Government Code Section 7910.*

**8.6 El Dorado Sheriff's Office (EDSO) Placerville Police Department (PPD) SWAT Memorandum of Understanding (MOU) (Chief Nielsen)**

**Resolution No. 7849**

*Adopted a Resolution authorizing the City Manager/City Attorney and the Chief of Police to execute a Memorandum of Understanding (MOU) with the El Dorado County Sheriff's Office (EDSO) for Placerville Police Department (PPD) participation on the El Dorado County Sheriff SWAT Team.*

**8.7 Amendment to the Consulting Services Agreement with CTA Engineering & Surveying in an Amount of \$5,410 for Additional Design, Surveying and Right of Way Engineering Services on the Point View Drive Extension Project (Mr. Pesses)**

**Resolution No. 7850**

*Adopted a Resolution approving amendment No. 1 to the consulting services agreement with CTA Engineering and Surveying, in an amount of \$5,410 for additional design, surveying, and right of way engineering services on the Point View Drive Extension Project, and authorizing the City Manager to execute same.*

*It was moved by Councilmember Hagen and seconded by Councilmember Borelli to approve the Consent Calendar as presented. The motion was passed by the following vote:*

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

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

*No items were pulled from the Consent Calendar.*

**10. ORDINANCES – None Scheduled**

**11. PUBLIC HEARINGS**

**11.1 Tentative Subdivision Map 08-04; Environmental Assessment 08-05; Ray Lawyer Commercial Subdivision (Mr. Calfee)**

*The Director of Community Development presented an overview of the project and responded to Council questions. Public comment was received from the project proponent's representative, Robert Laurie and Brian Briggs. Also commenting were John Quidachay, Steve May and Jackie Neau. Following Council discussion and modification to several conditions, it was moved by Councilmember Hagen and seconded by Vice-Mayor Machado that the City Council take the following action:*

- 1. Adopt the staff report as part of the public record.*
- 2. Receive, approve and file the Mitigated Negative Declaration prepared for this project, dated August 5, 2009, (as amended); mitigation measures contained therein are conditions of project approval.*
- 3. Make General Plan Findings of Consistency Items A through C; Make Findings with respect to the Tentative Subdivision Map 08-04; Items A through C.*
- 4. Approve Tentative Subdivision Map 08-04 and Environmental Assessment 08-05 with the following conditions of approval and as modified (specific modifications to follow):*

*City Engineering Division: Items 1-60*

*Condition #7 modified to provide for three phases, one below Ray Lawyer Drive (lots 5 and 6) and two above Ray Lawyer Drive (lots 1,2,3,4, and 7).*

*Condition #28 is modified to add the following language:  
“to the extent that undergrounding would occur off-site, the applicant shall cause a preliminary design to be prepared and shall return to Council with cost estimates to determine the feasibility of off-site undergrounding.”*

*Condition #68 is modified to delete the words “the need therefore is”*

*Department of Transportation : Conditions 61-63*

*City Planning Division: Conditions 64-68*

*City Planning Commission: Conditions 69-70*

*5. Adoption of the Mitigation Monitoring Plan.*

*The motion was passed by the following vote:*

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

**11.2 Cottonwood Park Planned Development Phases 4 & 6  
(Mr. Calfee)**

*The Director of Community Development presented an overview of the project and responded to Council questions. Public comment was received from Larry Patterson, Paul Zappatini and David Price. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Acuna that the City Council take the following action:*

- 1. Adopt the Staff Report as part of the public record.*
- 2. Adopt Findings A-L.*
- 3. Approve Tentative Subdivision Map 05-01 for Cottonwood Park Planned Development Phases 4 & 6, a request for 39 single family lots, with the Conditions of Approval provided as Exhibit E. Any proposed future change to the site or modification to the application beyond what is authorized under this permit shall be submitted to the Community Development Department for a determination of appropriate procedures.*

4. *Condition #99 is modified to add the following language: “as a condition of approval of the tentative map, the applicant shall cause a reforestation/re-vegetation plan to be prepared and shall begin implementation of said plan within one year of the approval of the tentative map. Applicant shall further submit a bond to cover the cost of implementing the reforestation plan.*

*Add Condition #110 to read, “A three-way stop shall be installed at Clay Street and Constellation Street.”*

*Add Condition #111 to read, “The traffic calming device shown on the plans at Constellation and Utah Streets may be modified at the discretion of the Public Works Director to speed humps or other appropriate traffic calming measures”.*

*The motion was passed by the following vote:*

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

## **12. DISCUSSION/ACTION ITEMS**

### **12.1 Council Direction Regarding Formation of an Advisory Committee For Implementation of the Redevelopment Plan (Mr. Driscoll)**

*Prior to the introduction of this item, Vice-Mayor Machado recused himself and left the building. Councilmember Borelli assumed the position of Mayor Pro-Tem and introduced this item. The City Manager/Attorney requested that the City Council direct staff and the redevelopment consultants to develop a procedure for the formation of an Advisory Committee for the implementation of the Redevelopment Plan. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Hagen that staff return to the Council with several options of Advisory Committee composition and selection process that are in use in other successful Redevelopment Agencies. The motion was passed by the following vote:*

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

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

*Councilmember Acuna commented on a letter written by former Councilmember and local business owner, Jerry Bennett.*

**14. CITY MANAGER AND STAFF REPORTS**

*No reports were noted.*

**15. UPCOMING ITEMS**

*Items tentatively scheduled for the next regularly scheduled Council meeting include a Measure J Report, the proposed Roundabout project, Duffey Park, and a presentation by the Business Alliance.*

**16. ADJOURNMENT at 10:20 P.M.**

The next Regular Council meeting will be held on November 9, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC  
City Clerk