

**CITY OF PLACERVILLE
CITY COUNCIL
MINUTES**
Regular City Council Meeting
September 14, 2010

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
6:15 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

6:15 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 Public Employee Appointment: City Manager

7:00 P.M. OPEN SESSION

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor called the meeting to order at 7:20 P.M. The Pledge of Allegiance to the Flag was recited.

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

3. **ANNOUNCEMENTS TO THE PUBLIC**

3.1 **Antique Street Faire – September 26, 2010 (Chief Nielsen)**

The Chief of Police noted that Main Street would be closed from Bedford, west to Center Street for the annual Antique Street Faire on Sunday, September 26, 2010.

3.2 **Great Sierra River Cleanup – September 25, 2010 (Mr. Pesses)**

The Director of Public Works noted that this event would take place on Saturday, September 25th and responded to Council questions about the event.

4. **CLOSED SESSION REPORT**

The Mayor noted that no reportable action was taken in Closed Session.

5. **ADOPTION OF AGENDA**

It was moved by Councilmember Borelli and seconded by Councilmember Acuna to adopt the Agenda as presented. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Rivas
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

Councilmember Acuna thanked the organization that placed the American flags along the Highway 50 on Saturday, in remembrance of September 11th.

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 August 24, 2010 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of August 24, 2010.

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Draft Master Street Tree Plan – Tree Palette (Mr. Painter)

1. *Entered Staff's report into the public record.*
2. *Made the following findings:*
 - A. *The Community Design Element of the City of Placerville General Plan contains Implementation Program 1 that calls for the preparation and adoption of a Master Street Tree Plan that establishes a limited palette for street trees appropriate to various districts in the City; the City shall develop publicity materials to promote the implementation of the Master Street Tree Plan.*

- B. On August 17, 2010, the Planning Commission conducted a public meeting on the Draft Master Street Tree Plan by receiving the plan from the Master Street Tree Plan Committee. No comments were given from the public.
 - C. The Draft Master Street Tree Plan is consistent with Goal A of the Community Design Element, in that it sets forth the enhancement of the overall visual attributes of Placerville by providing the public, City decision makers and staff with a list of street trees to be used for private and public projects along and within the City's main thoroughfares.
3. The City Council took the following action:
- A. Adopted the Draft Master Street Tree Plan – Tree Palette, adding it as Appendix G of the City of Placerville Development Guide.
 - B. Directed staff to make the Plan available to the public as a handout and mailer from the Community Development Department and as a document link from the Community Development Department's webpage.

8.5 Zoning Interpretation (ZON)#2010-01: Temporary Parking Lot Uses Deemed by the Planning commission to be a Temporary Use Under City Municipal Code Section 10-4-7(A), Special Temporary Use Permits (Mr. Painter)

Pulled by Councilmember Borelli and re-numbered as Item 9.1.

8.6 Approval of the “Agreement to Share Cost Between El Dorado County Water Agency and the City of Placerville” in the Amount of \$90,000 (Mr. Pesses)

Resolution No. 7832

Adopted a Resolution for the following action:

- 1. Approving the “Agreement to Share Cost Between El Dorado County Water Agency and the City of Placerville” in the amount of \$90,000 (attached to staff report); and, authorize the City Manager to execute same.
- 2. Authorizing staff to release a Request for Proposals (RFP)

to qualified engineering consulting firms for the purpose of selecting a consultant to implement the work authorized within the agreement.

8.7 Amendment No. 2 to the Consulting Services Agreement with BT Consulting for Design of the Giovanni and Madrone Sewer Lift Stations (Mr. Pesses)

Pulled by Councilmember Borelli and re-numbered as Item 9.2.

8.8 Summary Vacation of Drainage Easement and Rejection of Offer of Drainage Easement from 2737 Bedford Avenue (APN 050-590-211; PC 10-094) (Mr. Pesses)

The City Council took the following action:

Resolution No. 7834

Adopted a Resolution Approving the Summary Vacation of Drainage Easement Located at 2737 Bedford Avenue (APN 050-590-211); and

Resolution No. 7835

Adopted a Resolution Rejecting the Offer of Dedication for Drainage Easement Located at 2737 Bedford Avenue (APN 050-590-211).

8.9 Acceptance of Offer of Street Dedication and Offer of Public Utility Easement From Daniel and Stacy Mackay, 1889 Point View Drive, APN 049-110-28 (Point View Drive Extension Project) (Mr. Pesses)

Resolution No. 7836

Adopted a Resolution for the following action:

- 1. Accepting an Offer of Street Dedication for road and public Utility purposes, and an Offer of Public Utility easement from Daniel and Stacy Mackay, 1889 Point View Drive, APN 049-110-28.*
- 2. Directing the City Clerk to record said Offers of Dedication With the Office of the El Dorado County Recorder.*

**8.10 Resolution of the City Council of the City of Placerville
Amending the Redevelopment Survey Area Designated by City
Council Resolution No. 7830 (Mr. Calfee)**

Resolution No. 7837

Adopted a Resolution amending the redevelopment survey area designated by its August 24 Resolution to include additional property to be considered for redevelopment.

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

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

9.1 Zoning Interpretation (ZON)#2010-01: Temporary Parking Lot Uses Deemed by the Planning Commission to be a Temporary Use Under City Municipal Code Section 10-4-7(A), Special Temporary Use Permits (Mr. Painter)

Staff responded to Council questions. This item is for informational purposes. No action is required by the City Council. It was moved by Councilmember Acuna and seconded by Councilmember Borelli to acknowledge this staff report. The Council concurred by consensus.

9.2 Amendment No. 2 to the Consulting Services Agreement with BT Consulting for Design of the Giovanni and Madrone Sewer Lift Stations (Mr. Pesses)

Resolution No. 7833

Staff responded to Council questions. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Hagen that the City Council adopt a Resolution authorizing the City Manager to execute Amendment No. 2 to the Consulting Services Agreement with BT Consulting in an amount not

to exceed \$4,250 to provide additional surveying services, legal descriptions, exhibit plats, and sewer line design for the Giovanni Sewer Lift Station. The motion was passed by the following vote:

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

10. DISCUSSION/ACTION ITEMS

10.1 Retirement Incentive Program – Two Years of Additional Service Credit Option (Mr. Warren)

Resolution No. 7838

The Director of Finance summarized the issue. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Hagen that the City Council adopt a Resolution that grants another designated period for two years additional service credit. The motion was passed by the following vote:

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

11. ORDINANCES – None Scheduled

12. PUBLIC HEARINGS

12.1 Statewide Community Infrastructure Program (Mr. Warren)

Resolution No. 7839

The Director of Finance summarized the program and responded to Council questions. It was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:

1. *Authorizing the City of Placerville to join the Statewide Community Infrastructure Program; and*

2. *Authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct special assessment proceedings, and levy assessments within the territory of the City of Placerville; and*
3. *Approving form of acquisition agreement for use when applicable; and*
4. *Authorizing related actions.*

The motion was passed by the following vote:

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

12.2 Mountain Lane Place – Tentative Subdivision Map 08-02; Planned Development Overlay 07-04; Environmental Assessment 09-01 (Mr. Calfee)

Councilmember Machado stated that he had a conflict of interest with this item. He noted that he was the project proponent and recused himself from the meeting, and exited the building. Staff then summarized the history of this project and the action that had been taken by the Planning Commission on May 5, 2009. Staff then recommended that the City Council approve this request with the Findings and Conditions of Approval commencing on page 5 of the attached Staff Report dated May 18, 2009 and amended September 8, 2010.

Public comment was received from Adolf Zierke, and Robert Laurie, representing the project proponent. Mr. Laurie clarified several issues and responded to Council questions. He offered an amended Condition #25. Following Council discussion, it was moved by Councilmember Rivas and seconded by Councilmember Hagen to take the following action:

1. *Adopt the Staff report as part of the public record.*
2. *Receive, approve and file the Mitigated Negative Declaration (Environmental Assessment 09-01) prepared for this project, dated April 8, 2009. The Mitigation Measure contained therein are conditions of project approval.*
3. *Make the General Plan findings of consistency as outlined in Items A through F in the staff report.*

4. *Make findings with respect to the Planned Development Overlay 07-04 as outlined in items A through C in the staff report.*
5. *Approve the Planned Development Overlay 07-04.*
6. *Make the findings with respect to Tentative Subdivision Map 08-02, as outlined in Items A through D of the staff report.*
7. *Approve the Tentative Subdivision Map 08-02 with conditions 1-71 as outlined in the staff report, with the amended Condition #25, as stated by Mr. Laurie, as follows:*

“The requirement to construct the sewer improvement within the EID easement shall be conditioned upon the City entering into a reimbursement agreement with Developer. Absent such an agreement, Developer shall construct such improvement in the location referenced below. The Developer shall make application for such a reimbursement agreement.”

The motion was passed by the following vote:

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

Councilmember Machado was recused from this issue. He returned to the Council Chambers following the vote.

13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

Councilmember Acuna requested a status report on the repaving project on Morrene Drive. The Director of Public Works noted that the City crews were replacing aged service lines prior to the repaving project which is anticipated to begin in the Spring of 2011.

Councilmember Borelli requested a status report on the condition of Highway 49 through the City limits and any plans that CalTrans may have to improve the roadway surface. The Director of Public Works noted that CalTrans has indicated that a resurfacing project is slated to begin in the Spring of 2011. The project boundaries are from Highway 49 from Pleasant Valley Road in Diamond Springs, through Placerville and north to the intersection of Highway 49 and Highway 193. He further noted that he is attempting to contact CalTrans for the City's input on the project.

Vice-Mayor Machado reported that at a recent Placerville Downtown Association (PDA) meeting, the membership was pleased that the Downtown public restrooms, adjacent to historic City Hall, would remain open. He further noted that several restaurants are in the renovation stage and will be opening soon. He further noted that merchant representatives and the Heritage Association are working with the property owner of 301-305 Main Street.

Mayor Rivas requested an update on the Hangtown Motel Transient Occupancy Tax issue. The Director of Finance reported that an audit had been conducted by the City of the Hangtown Motel's records and that following a meeting with the business owner, he would report back to the Council.

14. STAFF REPORTS

The Director of Public Works noted that at the last Council meeting, the Mayor had appointed a Council sub-committee to work with staff and El Dorado Irrigation District regarding the state-mandated Water Effects Ratio (WER) study. Councilmembers Acuna and Machado will attend the meeting with City staff and EID staff at EID headquarters on Monday, September 20, at 2:00 P.M.

15. UPCOMING ITEMS

Items tentatively scheduled the September 28, 2010 Council meeting include approval of a change order related to the Safe Routes to School project, approval of an agreement for officials for youth and adult sports, approval of a Planning Commission recommendation regarding amending the redevelopment boundaries, the biennial conflict of interest code amendment, and a report on sewer charges for the category of "strip malls".

16. ADJOURNMENT at 9:25 P.M.

The next Regular Council meeting will be held on September 28, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk