

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
August 24, 2010

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 | Public Employee Appointment: City Manager |
| Govt. Code 54957.6 | Conference with Labor Negotiator
Agency Negotiator: David Mackowiak
Employee Organization: Local 39 |
| Govt. Code 54956.8 | Conference with Real Property Negotiator:
Blairs Lane Bridge |

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 led by a member of a local Scout troop.

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

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 El Dorado Community Foundation's Community Campaign for Sustainable Housing

Bill Roby, Executive Director and Pamela Hagen, Administrative Assistant, of the El Dorado Community Foundation addressed the Council regarding the Community Campaign for Sustainable Housing.

3.2 Girls Night Out – August 28, 2010, 6:00 P.M. to 9:00 P.M. (Chief Nielsen)

The Chief of Police invited the public to participate in Girls Night Out on Saturday, August 28th. The event will include a Main Street closure.

4. CLOSED SESSION REPORT – City Attorney Driscoll

In the matter of Public Employee Appointment, the City Manager/Attorney noted that preliminary interviews for City Manager would take place on Thursday, August 26th and final interviews would be held on Friday, August 27th. The interview panel on the 26th will be comprised of a six member community and peer panel. The top candidates from the preliminary interview will be interviewed by the Council on Friday.

In the matter of the Conference with Labor Negotiator, the City Manager/Attorney noted that Local 39 had agreed to a modified work schedule to accommodate a more efficient use of the Mandatory Time Off (MTO) program. City offices will now be open Monday through Thursday from 8:00 A.M. to 5:30 P.M. and closed on Friday. Those city departments that are 24/7 operations, such as Police, Dispatch and Water Reclamation Facility, will continue to work their regular shifts.

5. ADOPTION OF AGENDA

It was moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council 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

Doug Braetten addressed the Council regarding a downtown business issue and was directed to work with the Community Development Director on the issue.

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 August 10, 2010 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of August 10, 2010.

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Summary Vacation of Excess Right of Way and Acceptance of Irrevocable Offers of Street Dedication (60, 70, and 72 Main Street: APNs 003-051-07, -05, and -23;- Coffee Depot) (Mr. Pesses)

Adopted two Resolutions for the following action:

Resolution No. 7828

1. *Approving Summary Vacation of the following two areas of surplus street right of way:*
 - a. *Approximately 1,810 square feet of street right-of-way adjacent to 68 Main Street and authorize the*

Mayor to execute the Quitclaim Deed relinquishing the underlying fee title of same to the owner of 68 Main Street (APN 003-051-07).

- b. Approximately 143 square feet of street right-of-way adjacent to 70 Main Street and authorize the Mayor to execute the Quitclaim Deed relinquishing the underlying fee title of same to the owner of 70 Main Street (APN 003-051-05).*

Resolution No. 7829

- 2. Accepting the Offers of Street Dedication to the City of Placerville from Gumball Holdings, LLC for road and public utility purposes at 70 and 72 Main Street (APN 003-051-05 and APN 003-051-23).*

8.5 Memorandum Acknowledging Receipt of Requirements of The California Community Redevelopment Law Pertaining to Prohibitions on, and Disclosure of Financial Interests in a Redevelopment Area (Mr. Driscoll)

Acknowledged receipt of a memorandum outlining the requirements of Section 33130 of the Health and Safety Code.

It was moved by Councilmember Acuna 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, Rivas
NOES: None
ABSENT: None
ABSTAIN: None

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

10. DISCUSSION/ACTION ITEMS

10.1 PowerPoint Presentation by RSG and Resolution of the City Council of the City of Placerville Designating a Redevelopment Survey Area (Mr. Driscoll)

Resolution No. 7830

Jim Simon and Ya-yin Isle, of RSG Consultants, presented a PowerPoint overview of the Redevelopment Plan and responded to Council questions. Public comment was received from Steve Neau, Wendy Mattson, Danica Olivo, Susan Frazier, Peter McQuillen, and Mike Kobus. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution designating a redevelopment survey area. The motion was passed by the following vote:

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

The Mayor adjourned the City Council meeting at 8:00 P.M. and Called to Order a meeting of the Redevelopment Agency Board. Please see separate Redevelopment Agency Board Minutes. At 8:07 P.M. the Redevelopment Agency Board adjourned to the remainder of the City Council meeting.

10.2 Retirement Incentive Program - Two Years Additional Service Credit Option (Mr. Warren)

The Director of Finance summarized the program and the cost savings to the City and responded to Council questions. It was then moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council authorize the mayor to execute a Certificate of Compliance with Government Code Section 20903. The motion was passed by the following vote:

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

11. ORDINANCES

11.1 Extension of Medical Marijuana Dispensary Moratorium (Mr. Driscoll)

The City Manager summarized recent case law regarding this issue. Public comment was received from Steve Neau. Following Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Hagen that the City Council extend the

moratorium prohibiting medical marijuana dispensaries for a period of up to 16 months. The motion was passed by the following vote:

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

12. PUBLIC HEARINGS

12.1 Fiscal Year 2010/2011 Operating and Capital Improvement Budgets (Mr. Warren)

Resolution No. 7831

The Director of Finance presented an overview of the budget and responded to Council questions. Public comment was received from Sue Rodman. It was then moved by Councilmember Hagen and seconded by Councilmember Acuna that the City Council approve and adopt the Fiscal Year 2010/2011 Operating and Capital Improvement Budgets, and bring back for Council information and consideration a budget status report around October 15th. The motion was passed by the following vote:

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

13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

No reports or items were noted.

14. STAFF REPORTS

14.1 \$90,000 Grant Award from the El Dorado County Water Agency

The Director of Public Works noted that the City had been successful in a grant application for water systems planning and consulting. The grant monies cannot be used for construction projects. He further noted that the grant monies could be used for several potential projects in the City.

14.2 Extension of \$750,000 SLPP Grant from the California Transportation Commission

The Director of Public Works noted that he had attended the California Transportation Commission meeting in San Francisco and addressed the Commission regarding the need for an extension of grant funding on the Gateway Project associated freeway improvements. The CTC granted the extension.

14.3 Results of Special City Council Meeting (Duffey Park Site Visit)

The City Manager/Attorney reported on the August 19, 2010 site visit to the Duffey Park proposed site. This item will be agendaized for Council consideration in the next few months.

15. UPCOMING ITEMS

Items tentatively scheduled for the September 14th Council meeting include: Mountain Lane Place project, SWAT Team Agreement with El Dorado County, and Redevelopment Agency issues.

16. ADJOURNMENT 9:50 P.M.

A Special Closed Session will be held on Thursday, August 26, 2010 at 4:00 P.M. City Hall Fourth Floor Conference Room, Govt. Code 54957: Public Employee Appointment: City Manager

A Special Closed Session will be held on Friday, August 27, 2010 at 9:00 A.M., City Hall Fourth Floor Conference Room, Govt. Code 54957: Public Employee Appointment: City Manager

The next Regular Council meeting will be held on September 14, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk