

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting  
**August 10, 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:

- |                    |   |
|--------------------|---|
| Govt. Code 54957   | Public Employee Appointment: City Manager   |
| Govt. Code 54957.6 | Conference with Labor Negotiator<br>Agency Negotiator: David Mackowiak<br>Employee Organization: Local 39 |
| Govt. Code 54956.9 | Conference with Legal Counsel<br>Threatened Litigation: One Case  |
| Govt. Code 54956.9 | Conference with Legal Counsel<br>Existing Litigation: Settlement Authority<br>Brian Reeves                |

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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 7:00 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**

*No announcements were noted.*

**4. CLOSED SESSION REPORT – City Attorney Driscoll**

*The City Attorney reported that the interviews for City Manager would be held on August 26, 2010 with assessment panels composed of community leaders and City Managers from other agencies. The top candidates would proceed to a second interview with the City Council on August 27, 2010.*

*No other 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**

*No oral comments were noted.*

**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 July 13, 2010 (Ms. Zito)**

*Approved the Minutes of the regularly scheduled City Council meeting of July 13, 2010.*

### **8.2 Minutes of the Special City Council Meeting of July 8, 2010 (Ms. Zito)**

*Approved the Minutes of the Special City Council meeting of July 8, 2010.*

### **8.3 Minutes of the Special Closed Session Council Meeting of August 2, 2010 (Ms. Zito)**

*Approved the Minutes of the Special Closed Session meeting of August 2, 2010.*

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

*Approved the Warrant Register.*

### **8.5 Payroll Registers (Mr. Warren)**

*Approved the Payroll Registers for Pay Periods 2 and 3.*

### **8.6 Consulting Services Agreement with Owen-Psomas Inc. in an Amount Not to Exceed \$163,900 for Fiscal Year 2010/2011 To Provide Technical Assistance with the City's NDPEs Permit for the Hangtown Creek Water Reclamation Facility (Mr. Pesses)**

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

**8.7 “First Amendment to Utility Agreement No. 03-2293.5B With CalTrans for System Improvements Related to the Highway 50 Operational Improvements Project (Mr. Pesses)**

**Resolution No. 7826**

*Adopted a Resolution for the following action:*

1. *Approved the “First Amendment to Utility Agreement No. 03-2293.5B” with CalTrans concerning the water System improvements required as part of the Highway 50 Operational Improvements Project (Hwy 50 Ops.); said Amendment increases the reimbursement amount to the City of Placerville from the \$150,000 indentified in the original Agreement, to \$211,782.19, under the terms of this Amendment; and*
2. *Authorized the City Manger to execute same.*

*It was moved by Councilmember Acuna and seconded by Councilmember Hagen to approve the Consent Calendar as modified, with Councilmember Borelli abstaining from Item 8.1 and 8.2. 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 Consulting Services Agreement with Owen-Psomias Inc. in an Amount Not to Exceed \$163,900 for Fiscal Year 2010/2011 To Provide Technical Assistance with the City’s NDPES Permit for the Hangtown Creek Water Reclamation Facility (Mr. Pesses)**

**Resolution No. 7825**

*Staff summarized the technical issues related to the request for a renewal of the Consulting Services Agreement and the City’s efforts in utilizing existing chemical reports to satisfy the State’s request for specialized water studies. Public comment was received from Brian Mueller, Director of Engineering Services, El Dorado Irrigation District and Sue Rodman. Following Council discussion and staff response to Council questions, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City*

*Council take the following action:*

1. *Direct staff to not move forward with this allocation until staff has exhausted all other options by utilizing existing data to satisfy the State's requirement to conduct a "Water Effects Ratio" (WER) Study;*
2. *Direct staff to set a meeting with Councilmember Acuna and one other Mayor-appointed Councilmember, staff of both the City and El Dorado Irrigation District, and representatives of Owen-Psomas, to strategize the local approach to either contact the Federal Environmental Protection Agency (EPA), or the Central Valley Regional Water Quality Control Board, or local legislators to seek relief from the WER Study requirement;*
3. *Adopt a Resolution approving the Consulting Services Agreement with Owen-Psomas, Inc., in an amount not to exceed \$163,900 for the purpose of providing technical assistance to the City in providing water quality testing and reporting to the Central Valley Regional Water Quality Control Board, as required under the City's NPDES Permit for the Hangtown Creek Water Reclamation Facility, and*
4. *Authorize the City Manager to execute same.*

**10. ORDINANCES – None Scheduled**

**11. PUBLIC HEARINGS – None Scheduled**

**12. DISCUSSION/ACTION ITEMS**

**12.1 Construction Contract Award for Safe Routes to School – Markham and Schnell School Lighting and Signage (Pedestrian Safety Improvements) Project (#40913) (Mr. Pesses)**

**Resolution No. 7827**

*Following staff summary of the issue and Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:*

1. *Award a construction contract with Richard A. Heaps Electrical Contractor, Inc. for pedestrian safety improvements At Markham Middle School and Schnell School in the Amount of \$139,520, and authorize the City Manager to Execute said contract; and*
2. *Approve a \$167,211 budget appropriation from the Federal Surface Transportation Safe Routes to School Grant for the Markham and Schnell School Lighting And Signage (Pedestrian Safety Improvements) Project (CIP #40913).*

*The motion was passed by the following vote:*

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

## **12.2 Abandoned/Illegal Monument and Pole Signs (Mr. Calfee)**

*The Director of Community Development summarized the issue and responded to Council questions. Public comment was received from Kathi Lishman. Following Council discussion, it was the consensus of the Council that staff set the hearing date, make appropriate notifications and move forward with the abatement of abandoned and illegal pole and monument signs.*

## **12.3 Selection of Date for Duffey Park Site Visit (Mr. Driscoll)**

*The Council confirmed their availability to meet on-site at Duffey Park on Thursday, August 19<sup>th</sup>, at 5:30 P.M.*

## **13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS**

*Vice-Mayor Machado requested that staff report back at a future Council meeting with an analysis of water rate classifications for coffee shops that are housed in a multi-use commercial building, sharing a water meter. The Council concurred with this request.*

*Vice-Mayor Machado requested that staff report back at a future Council meeting, the advisability of the City participating in the SKIP program.*

*Staff noted that the Recovery Zone Program was also a program that the Council may want to consider for the City's participation. The Council concurred with this request.*

*Councilmember Acuna commended Director of Community Services, Steve Youel, and the Parks crews on the recent landscaping improvements to the area surrounding the caboose.*

*Councilmember Borelli commended Police Chief George Nielsen on the recent successful National Night Out and requested that he pass along the Council's thanks to the Police Department staff for their efforts in organizing this annual event.*

**14. STAFF REPORTS**

*No staff reports were noted.*

**15. UPCOMING ITEMS**

*Items tentatively scheduled for the next regularly scheduled Council meeting include: summary vacation at 68-70 Main Street, Fiscal Year 2010/2011 Budget adoption, Two-year service credit report, Memorandum of Understanding with El Dorado County SWAT, presentation by Redevelopment Consultant, and medical marijuana ordinance.*

**16. ADJOURNMENT at 9:07 P.M.**

A Special Council meeting will be held on Thursday, August 19, 2010 on Pleasant Street and will be a site visit to the proposed Duffey Park.

The next Regular Council meeting will be held on August 24, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC  
City Clerk