

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
April 13, 2010

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
5:30 P.M. Closed Session
7:00 P.M. Open Session

5:30 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 54957.6 Conference with Labor Negotiator
Agency Negotiator: David Mackowiak
Employee Organizations: Local 39 and Police
Officers' Association
- Govt. Code 54956.9 Threatened Litigation: One Case
Potential Litigation: One Case
- Govt. Code 54957 Public Employee Retirement
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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 7:25 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 Walk a Mile in Her Shoes, April 24, 2010 (Chief Nielsen)

The Chief of Police invited the public to participate in this annual event that urges an end to domestic violence. Registration will take place at 8:30 A.M. at Town Hall, 549 Main Street on Saturday, April 24th. The walk will begin at Town Hall, proceed to the Bell Tower, and return to Town Hall.

3.2 ADA Compliance Awareness Workshop for Business – April 20, 2010 at 7:00 -9:30 A.M. at Town Hall

The City Manager/Attorney invited local business owners to this free workshop.

3.3 Agenda Notification by E-mail (Mr. Driscoll)

The City Manager/Attorney reported that the City's Information Technology Department is now capable of sending the agenda by e-mail blast. Those interested in receiving the agenda in this manner can either sign up on the City's website, or contact the City Administration Department at 642-5200.

3.4 Placerville Spring Clean-Up Day (Mr. Driscoll)

The City Manager/Attorney announced the next Placerville Clean Up Day will be held on Saturday, May 1st from 9:00 A.M. to 3:00 P.M. This event will be held in a new location at the Mosquito Road Park and Bus Facility.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Manager/Attorney reported that no reportable action had taken place in Closed Session. Further, he announced his plans for retirement at the end of this year.

5. ADOPTION OF AGENDA

It was moved by Councilmember Borelli and seconded by Councilmember Hagen 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

6.1 A Proclamation Declaring the Month of April 2010 as Sexual Assault Awareness Month in the City of Placerville

The Mayor read the Proclamation and presented it to Matt Huckaby, Director of The Center for Violence-Free Relationships. Mr. Huckaby thanked the Council and gave a short presentation on the statistics of sexual assault.

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

Mike Kobus addressed the Council and thanked John Driscoll for his time served as City Manager/Attorney. Mr. Kobus indicated that he felt that Mr. Driscoll has been a mentor to him as a small business owner in Placerville.

Mr. Kobus also announced the annual Wagon Train celebration on June 12th with events plan for all three business districts on Broadway, Main Street and Placerville Drive.

Robyn Rawers addressed the Council regarding landscape water reduction in the Bedford Avenue neighborhood.

Councilmember Machado commended the City on the new agenda subscription program.

Councilmember Machado requested information from staff regarding the encroachment permit issued to Centro coffee shop for their sidewalk expansion for outside dining. The Director of Public Works responded and explained the legal parameters of an encroachment permit.

Councilmember Borelli requested that staff prepare, for Council and public information, a list of recently completed Capital Improvement Projects, and those projects that are planned in the near future.

Mayor Rivas requested that staff prepare a status report on Duffey Park and the bond related to that project for the next Council meeting.

Mayor Rivas also requested that staff prepare a status report on the Old City Hall for the next Council meeting.

7.2 Written Communication

The City Manager/Attorney noted that City Hall had received an anonymous e-mail from an individual complaining about Sheriff's candidates posting their campaign signs prior to the legal time limit. The City Manager/Attorney noted that each of the campaign's had been contacted by the Planning Department, but that the timeframe for posted had since occurred so the signs are now legally posted.

The City Manager/Attorney reported that a letter had been received from Mr. & Mrs. Scott regarding their reduction of landscape irrigation due to the increased water rates.

The City Manager/Attorney reported that a letter had been received from Ms Carroll notifying the City that a potentially dangerous situation may exist related to a sidewalk in the downtown.

The City Manager/Attorney reported that a letter had been received from Jean Yurkovick regarding the City's maintenance crews.

8. Councilmember Reports on Meetings Attended on Behalf of the City of Placerville

♦ **El Dorado County Transit Authority
(Councilmembers Borelli & Machado)**

Vice-Mayor Machado summarized the current status of the Transit Authority and noted that an anticipated budget shortfall has not occurred and that the budget is balanced.

♦ **El Dorado County Transportation Commission
(Councilmembers Acuna, Borelli, Hagen)**

Councilmembers Hagen and Acuna summarized the status of transportation construction projects on the western slope of El Dorado County. Most projects are under budget and ahead of schedule of anticipated completion.

♦ **Local Agency Formation Commission (LAFCO)
(Councilmember Hagen)**

Councilmember Hagen summarized recent LAFCO action.

♦ **Sacramento Area Council of Governments (SACOG)
(Mayor Rivas)**

Mayor Rivas noted that a SACOG meeting held in December, 2009 had presented awards to local El Dorado County groups for outstanding projects.

♦ **Joint Meeting Between El Dorado Irrigation District (EID) and City of Placerville
(Councilmembers Hagen & Machado)**

Councilmember Hagen and Vice-Mayor Machado summarized the items discussed at a recent joint

meeting between the City and EID. Vice-Mayor Machado clarified a misconception that if EID assumed ownership of the Hangtown Creek Water Reclamation Facility, that EID would spread the cost of the improvements over all of their ratepayers, thus reducing the current City rates. EID would spread the cost of the Facility over the same 3,500+ ratepayers that the City's currently bills for wastewater service.

♦ **Redevelopment Workshop (Councilmember Machado)**

Vice-Mayor Machado summarized the issues discussed at a recent two-day Redevelopment Workshop held in Stockton that he and City Manager/ Attorney Driscoll had attended.

♦ **Placerville Area Convergence Team (PACT) Meeting (Councilmember Machado)**

Vice-Mayor Machado summarized issues discussed at the most recent meeting of the PACT, including redevelopment.

9. 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.

9.1 Minutes of the Regular City Council Meeting of March 23, 2010 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of March 23, 2010.

9.2 Minutes of the Special Council Workshop of March 18, 2010 (Ms. Zito)

Approved the Minutes of the Special Council Workshop on March 18, 2010.

9.3 Warrant Register (Mr. Warren)

Approved the Warrant Register.

9.4 Payroll Register (Mr. Warren)

Approved the Payroll Register.

9.5 Administering Agency-State Master Agreement No. 00309S For State-Funded Local Transportation Projects (Mr. Pesses)

Pulled by Councilmember Borelli and re-numbered as Item 10.1

It was moved by Councilmember Hagen and seconded by Councilmember Acuna to 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

10. ITEMS PULLED FROM THE CONSENT CALENDAR

10.1 Administering Agency-State Master Agreement No. 00309S For State-Funded Local Transportation Projects (Mr. Pesses)

Resolution No. 7788

Following response to Council questions by the Director of Public Works, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution for the following action:

1. *Authorizing the Mayor to execute the Administering Agency-State Master Agreement No. 00309S for State-Funded local transportation projects; and*
2. *Authorizing the Public Works Director to execute Program Supplements to said Master Agreement.*

The motion was passed by the following vote:

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

11. ORDINANCES

11.1 First Reading of an Ordinance Regarding Used Merchandise Stores (Mr. Calfee)

The Director of Community Development summarized the issue and responded to Council questions. Councilmember Borelli then introduced an Ordinance amending the Zoning Regulations applicable to the establishment and Operation of used merchandise stores in the City's commercial zoning districts.

It was then moved by Councilmember Borelli and seconded by Councilmember Hagen that the City Council adopt the Code changes described in the staff report and waive the First Reading of said Ordinance. 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 A Public Hearing to Discuss the Possible State Community Development Block Grant (CDBG) Applications (Mr. Driscoll)

The City Manager/Attorney summarized the Public Hearing process that must take place before the City can apply for any CDBG funds. He then introduced Aaron Cotter, Grant Writer/Coordinator with California Engineering Co. Mr. Cotter

summarized the grant writing process and the opportunities that exist for the City in applying for CDBG funding, and responded to Council questions. The Mayor then opened the public hearing for the purposes of discussing possible applications for funding under the Fiscal Year 2010/2011 CDBG Program, and to solicit citizen input on possible activities to be included in these applications. Public comment was received from the following individuals:

Patsy Cole requested clarification of the monies available and inquired if the \$500,000 amount mentioned by Mr. Cotter was a one-time grant award, or if the amount could be applied for annually. Mr. Cotter responded that grants are available annually or can be applied for in consecutive yearly funding cycles. Ms. Cole also mentioned that she had conducted some internet research on federal grants for water and sewer projects and inquired if Mr. Cotter was aware of those grants. He responded that although the grants are listed on the federal agency websites, those grants are currently frozen until such time as the federal government once again has funds available.

Sue Rodman supported the Council funding of \$3,500 to secure Mr. Cotter's services as a grant writer for water and sewer related grant funding. She further expressed her concern of health and safety issues associated with the continued use of the City's aged pipe system.

Mike Palmer addressed the Council and supported the use of a grant writer in competing for grant funds for the water and sewer infrastructure. He specifically commented, "I'm behind it, give the man the \$3,500".

Following the public comment, the Mayor closed the Public Hearing. The Council, by unanimous consensus was in favor of seeking any funding available in the form of grants.

13. DISCUSSION/ACTION ITEMS

13.1 Add-On Sales Tax Ballot Measure for Water and Wastewater/Voter Opinion Research Consultant (Mr. Driscoll)

The City Manager/Attorney summarized the issues related to placing an initiative on the November 2010 and responded to Council questions. Following the City Manager/Attorney's summary, the Mayor solicited public comment on this issue. Public comment was received from Patsy Cole, Jackie Neau, Carol Anne Ogdin, Sue Rodman and Mike Palmer. Following public comment, the Council, by consensus, provided direction to staff on the following:

- 1. Staff should begin preparing the ballot language for the add-on sales tax ballot question for the November 2010 election; and*
- 2. Staff should prepare a utility bill questionnaire to determine local public support of a ¼ ¢ sales tax initiative to be included in the May utility billings, along with a deadline for response.*
- 3. Staff should contact a public opinion polling consultant to determine if they would provide minimal services for the purpose of advising on matters relating to the proposed ballot question; and*
- 4. Based on staff's contact with these specialized consultant's and their ability and willingness to provide minimal consulting advice, which consultant should be selected and which project option should also be selected.*

13.2 Wastewater Rate Analysis/Analysis of Fixed Costs (Mr. Warren)

Resolution No. 7789

The Director of Finance summarized the analysis of the bed & breakfast establishments rate and responded to Council questions. Public comment was received from Robyn Rawers, Patsy Cole and Sue Rodman. Following Council discussion, it was moved by Councilmember Hagen and seconded by

Councilmember Borelli that the City Council adopt a Resolution that directs staff to charge the Apartment Unit rate to all active bed and breakfast type establishments effective February 16, 2010. The motion was passed by the following vote:

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

Staff then responded to Council and public questions regarding the analysis for the current wastewater user rate base charge. Following Council discussion regarding the analysis, the Council, by unanimous consensus, directed staff to retain the current rate structure.

14. ITEMS INITIATED BY COUNCILMEMBERS/RESPONSE TO ITEMS INITIATED BY COUNCILMEMBERS

14.1 Staff Response to Homeless/Transient Issue on Wiltse Road/Lumsden Park (Chief Nielsen/Steve Youel)

The Chief of Police and Director of Community Services responded to current staff efforts regarding the homeless/transient issues on Wiltse Road and in Lumsden Park. Public comment was received from Wendy Mattson.

Due to the lateness of the evening, it was moved by Mayor Rivas and seconded by Vice-Mayor Machado, to continue the remainder of the agenda to the next regularly scheduled Council meeting. The motion was passed by the following vote:

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

14.2 Staff Response to Sign Ordinance (Mr. Calfee)

Continued to April 27, 2010.

14.3 Hangtown Motel Transient Occupancy Tax Issue (Mr. Warren – Oral Report)

Continued to April 27, 2010.

14.4 Allocation of Information Technology (IT) Costs to Water and Wastewater (Mr. Warren -Oral Report and Handout)

Continued to April 27, 2010.

15. STAFF REPORTS

15.1 Expiration of One Year Moratorium on Expiration of Development Projects (Mr. Calfee)

Continued to April 27, 2010.

16. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council Meeting, in addition to those listed above, include: the Second Reading of the Used Merchandise Store ordinance, Request to seek Proposition 84 funding for improvements at Gold Bug Park, and historical district guidelines.

17. ADJOURNMENT at 11:50 P.M.

The next Regular Council meeting will be held on April 27, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk