

5. ADOPTION OF AGENDA

It was moved by Councilmember Acuna and seconded by Councilmember Hagen that the City Council adopt the Agenda as presented. The motion was passed by the following vote:

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

6. CEREMONIAL MATTERS

6.1 A Proclamation Declaring February and March 2010 as the “Big Read” in the City of Placerville

The Proclamation was read by the Mayor and accepted by Deb Jensen, Executive Director of the El Dorado Arts Council. Ms. Jensen urged the public to participate in the “Big Read” during February and March by reading The Call of the Wild, by Jack London. Copies are available at the El Dorado County Library and the El Dorado Arts Council.

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

Vice-Mayor Machado requested staff reports at future Council meetings on the topics of water/ sewer repair project priority list, island annexations, and Transit Occupancy Tax (TOT) lost by the conversion of a hotel to an apartment building.

Mayor Rivas noted that he had received many citizen calls regarding the water/ sewer enterprise fund.

Councilmember Acuna noted that the recently adopted EID rate increase may affect the City's cost of purchasing water from EID. Councilmember Acuna requested a staff report on recent meetings between City representatives and EID.

Councilmember Hagen responded to a recent Letter to the Editor that incorrectly stated that the City's utility bills contained double billings.

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 January 26, 2010 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of January 26, 2010.

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.4 Community Pride Committee (Mayor Rivas)

Resolution No. 7772

Adopted a Resolution rescinding Resolution Nos. 5139 and 5929, clarifying the purpose and procedures for the Community Pride Committee.

8.5 Authorizing the City Manager to Submit a Grant Application to California Energy Commission's Energy Efficiency and Conservation Block Grant Program and Further to Execute any and All Documents Necessary to Implement and Carry Out the Grant (Mr. Driscoll)

Resolution No. 7773

Adopted a Resolution authorizing the City Manager to submit a grant application for the amount of \$55,266.00 to the California Energy Commission's (CEC) Energy Efficiency and Conservation Block Grant (EECBG); and authorizing the City Manager to execute any and all documents necessary to implement and carry out the grant.

8.6 Authorizing the City Manager to Execute an Agreement with Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) to Provide Janitorial Services at the Hangtown Creek Water Reclamation Facility (HCWRF) (Mr. Pesses)

Resolution No. 7774

Adopted a Resolution for the following action:

- 1. Authorizing the City manager to execute an agreement with Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) to provide janitorial services at the Hangtown Creek Water Reclamation Facility (HCWRF) for the balance of the fiscal year at a cost of \$65.00 per week.*
- 2. Authorizing staff to extend the agreement for up to three one-year extensions if janitorial service is performed satisfactorily.*

8.7 Measure J Quarterly Financial Report (Mr. Warren)

Acknowledged and filed the Measure J quarterly financial report for the period ended December 31, 2009.

It was moved by Councilmember Acuna and seconded by Councilmember Hagen that the City Council approve the Consent Calendar as presented, with Councilmember Hagen declaring a conflict of interest in Item 8.6, and abstaining from approval of that item.

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

10. ORDINANCES/PUBLIC HEARING

10.1 An Urgency Ordinance Establishing a Temporary Moratorium on Medical Marijuana Dispensaries (Mr. Driscoll)

Ordinance No. _____

The City Manager/Attorney presented an overview of the issue and responded to Council questions regarding recent case decisions affecting the operation of Medical Marijuana Dispensaries (MMDs). Public comment was received from the following individuals: Tom Kohl, Matt Vaughn, Mitch Fabel, Lanette Davies, Dave Bishop, Anna Hall, George Vega, Steve Dayard, Debbie Rush, Luke Desh, Mike Orozco, and Robert Winn. Following Council discussion, it was moved by Councilmember Hagen and seconded by Rivas, that the City Council adopt an Urgency Ordinance to establish a temporary moratorium on the establishment and operation of Medical Marijuana (cannabis) Dispensaries, to become effective immediately. The motion was passed by the following vote:

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

11. DISCUSSION/ACTION ITEMS

11.1 Used Merchandise Stores Report (Mr. Calfee)

The Director of Community Development summarized this issue and responded to Council questions. Public comment was received from Ravel Buckley. Following Council discussion, it was moved by Councilmember Machado and seconded by Councilmember Hagen that the City Council direct staff to initiate amendments to the Zoning Code regarding used merchandise stores and the like as prescribed by the Municipal Code. The motion was passed by the following vote:

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

11.2 Washington, D.C. Advocacy Trip 2010 (Mr. Driscoll)

The City Manager/Attorney noted that this annual trip has been invaluable to the City in obtaining federal monies for local projects. Following Council discussion, the City Council, by consensus, authorized a Pre-Cap-to-Cap trip (“Pre-trip”) and directed staff to determine the most economical airfares and accommodations for one Councilmember and one staff member. The City Manager/Attorney noted that partial expenses for one representative may be funded by the El Dorado County Transportation Commission budget.

12. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

Councilmember Acuna noted that the Gold Bug Park Development Committee, Inc. has submitted several grant proposals.

13. STAFF REPORTS

The Director of Community Development presented an oral update on the Housing Element of the General Plan.

14. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council meeting on February 23, 2010 include: the mid-year budget review, and an appeal of a Planning Commission decision.

15. ADJOURNMENT at 9:55 P.M.

The next Regular Council meeting will be held on February 23, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk