

**CITY OF PLACERVILLE
CITY COUNCIL AGENDA**

Regular City Council Meeting
August 9, 2011

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
6:00 P.M. Closed Session
7:00 P.M. Open Session



2011

David Machado, Mayor
Mark Acuna, Vice-Mayor
Patricia Borelli, Councilmember
Carl Hagen, Councilmember
Wendy Mattson, Councilmember

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas on the City Hall window and on the City's website: www.cityofplacerville.org

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 54956.9 Conference with Legal Counsel – Anticipated Litigation – three cases
- Govt. Code 54956.9 Conference with Legal Counsel – Existing Litigation
Workers Compensation Claim #2011115600, Louis Vargas
Workers Compensation Claim #2008076904, Brian Reeves
- Govt. Code 54956 Conference with Legal Counsel – Existing Litigation – Claim of Joann Jones

Materials related to an item on this Agenda, submitted to the City Council either with or after distribution of the agenda packet, are available for public inspection in the City Clerk's Office at City Hall, 3101 Center Street, during normal business hours.

Courtesy Announcement

Before we proceed, please turn off all cellular telephones, personal pagers, and other communication devices, as a courtesy to others, and to limit interference with our audio and video broadcast equipment.

Thank you for your cooperation.

7:00 P.M. OPEN SESSION

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

A moment of silence will be observed in memory of retired Placerville Fire Chief, Albert Herzig, who passed away earlier this month. This evening's meeting will be adjourned in his memory.

2. ROLL CALL: Acuna, Borelli, Hagen, Machado, Mattson

3. ANNOUNCEMENTS TO THE PUBLIC

Annual Craft Faire, August 14th – Chief Nielsen

4. **CLOSED SESSION REPORT – City Attorney Driscoll**
5. **ADOPTION OF AGENDA**
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. The Mayor reserves the right to limit the speaker's time to three minutes. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy.

7.1 Oral Communication

Speakers are limited to three minutes. 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.

PLEASE GIVE ANY WRITTEN MATERIAL PRESENTED AT THE MEETING TO THE CITY CLERK FOR THE PUBLIC RECORD.

7.2 Written Communication

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and will be 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 July 26, 2011 (Ms. Zito)

Recommendation by the City Clerk that the City Council approve the Minutes of the regularly scheduled Council meeting of July 26, 2011.

8.2 Warrant Register (Mr. Warren)

Recommendation by the Director of Finance that the City Council approve the Warrant Register.

8.3 Payroll Register (Mr. Warren)

Recommendation by the Director of Finance that the City Council approve the Payroll Register.

8.4 Adopt a Resolution of the City Council of the City of Placerville to Appoint a Representative to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors (Mr. Morris)

Resolution No. _____

Recommendation by the City Manager that the City Council adopt a Resolution of the City Council of the City of Placerville to Appoint a Representative to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors.

8.5 Recommendation by the Director of Public Works that the City Council Adopt a Resolution Approving Contract Change Order #2 with California Pavement Maintenance Company, Inc. for the El Dorado Trail Slurry Seal project (CIP #40805), a Deduction of \$12, 141.00 and Authorizing the City Engineer to Execute Said Change Order; and Accepting the Project and all Associated Work as Complete and Authorizing the Public Works Director to Execute a Notice of Completion and Directing the City Clerk to Record said Notice with the El Dorado County Recorder's Office; and Authorizing the Finance Director to Release all Remaining Retention Being Held for Construction Security, Thirty (30) Days After the Date of Notice of Completion Filing; and Authorizing the Release of the Performance Bond and the Release of the Labor and Materials Surety Bond, after the Statutory 30 day Time Period, if No Claims Are Made Against the Project (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council Adopt a Resolution Approving Contract Change Order #2 with California Pavement Maintenance Company, Inc. for the El Dorado Trail Slurry Seal project (CIP #40805), a Deduction of \$12, 141.00 and Authorizing the City Engineer to Execute Said Change Order; and Accepting the Project and all

Associated Work as Complete and Authorizing the Public Works Director to Execute a Notice of Completion and Directing the City Clerk to Record said Notice with the El Dorado County Recorder's Office; and Authorizing the Finance Director to Release all Remaining Retention Being Held for Construction Security, Thirty (30) Days After the Date of Notice of Completion Filing; and Authorizing the Release of the Performance Bond and the Release of the Labor and Materials Surety Bond, after the Statutory 30 day Time Period, if No Claims Are Made Against the Project.

- 8.6 Recommendation by the Director of Public Works that the City Council adopt a Resolution Approving the "Work Plan Agreement to Share Costs for Fiscal Year 2011-2012 Between the El Dorado County Water Agency and the City of Placerville" and Authorize the City manager to Execute Same; 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 or Amended Agreement, and Further that the City Council Consider the Possibility of requesting that the Water Agency amend this agreement substituting a sewer line replacement project on Cedar Ravine rather than Hangtown Creek, and authorize staff to pursue this with the Water Agency. (Mr. Pesses)**

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a Resolution approving the "Work Plan Agreement to Share Costs for Fiscal Year 2011-2012 between the El Dorado County Water Agency and the City of Placerville"; and authorize the City Manager to execute same and 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 or amended agreement. And further, that the City Council consider the possibility of requesting that the Water Agency amend this agreement substituting a sewer line replacement project on Cedar Ravine rather than Hangtown Creek, and authorize staff to pursue this with the Water Agency.

8.7 Adopt a Resolution Approving the “Agreement for Incidental Water Use Access from EID Water System” and Authorize the City Manager to Execute Same (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a Resolution approving the “Agreement for Incidental Water Use Access from EID Water System” and authorize the City Manager to execute same.

8.8 Adopt a Resolution Awarding the Contract for the 2011/2012 Annual Street Striping Project to Traffic Limited in the Amount of \$30,584; and Authorizing the City Manager to Execute Said Contract and Notice to Proceed; and Approving the Liquidation of \$3,000 in Proposition 1B Revenue from the Placerville Drive Pavement Repair Project (CIP#40901); and Appropriating \$3,000 in Proposition 1B Revenue for the Annual Street Striping Project (CIP#41201) (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a resolution awarding the Contract for the 2011/2012 Annual Street Striping Project to Traffic Limited in the Amount of \$30,584; and Authorizing the City Manager to Execute Said Contract and Notice to Proceed; and Approving the Liquidation of \$3,000 in Proposition 1B Revenue from the Placerville Drive Pavement Repair Project (CIP#40901); and Appropriating \$3,000 in Proposition 1B Revenue for the Annual Street Striping Project (CIP#41201).

9. ITEMS PULLED FROM THE CONSENT CALENDAR

10. ORDINANCES

10.1 Introduce an Uncodified Ordinance Agreeing, Under Protest, to Comply with the Provisions of the Voluntary Alternative Redevelopment Program Pursuant to ABX1 27 to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Placerville Which Would Otherwise be Subject to Suspension and Dissolution (Mr. Morris)

Ordinance No. 1643

Introduce an Uncodified Ordinance Agreeing, Under Protest, to Comply with the Provisions of the Voluntary Alternative Redevelopment Program Pursuant to ABX1 27 to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Placerville Which Would Otherwise be Subject to Suspension and Dissolution.

10.2 Adopt a Resolution Intending to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City Council of the City of Placerville; and Adopt a Resolution Electing Employer Paid Miscellaneous Member Contributions; and Adopt a Resolution Election Employer Paid Safety Member Contributions; and Adopt a Resolution to Defer Taxation of Member Contributions per IRC 414(h)(2) Employer Pickup; and Certify compliance with Government Code Section 7507; and Certify Compliance with Government Code Section 20475; and Introduce an Ordinance Amending Title I, Chapter 7: Retirement System and Approving the Amendment to the Contract with CalPERS; and Waive the First Reading of said Ordinance (Mr. Warren)

Recommendation by the Director of Finance that the City Council adopt a Resolution intending to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City Council of the City of Placerville; and adopt a Resolution electing employer paid Miscellaneous member contributions; and adopt a Resolution electing employer paid safety member contributions; and adopt a Resolution to defer taxation of member contributions per IRC 414(h)(2) employer pickup; and certify compliance with Government Code Section 7507; and certify compliance with Government Code Section 20475; and introduce an Ordinance amending Title I, Chapter 7: Retirement System and approving the amendment to the contract with CalPERS; and waive the First Reading of said Ordinance.

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Acknowledge and File the Basic Financial Statements, Supplemental Information and Independent Auditors' Report for Fiscal Year 2009/2010 (Mr. Warren)

Gary Caporicci of Caporicci and Larson, Certified Public Accountants, will present an overview of the 2009/2010 audit report and summarize a PowerPoint presentation.

12.2 Recommendation to Adopt a Resolution Declaring Certain Illegal On-Premise Signs and Sign Structures as Public Nuisances, the Intent to Abate Such Nuisances, and the Establishment of a Date to Hear Objections (Mr. Calfee)

Resolution No. _____

Recommendation by the Director of Community Development that the City Council adopt a Resolution declaring certain illegal on-premise signs and sign structures as public nuisances, the intent to abate such nuisances, and the establishment of a date to hear objections.

12.3 Adopt a Resolution Approving the Cooperative Agreement-Authority to Reimburse with CalTrans for the purpose of Reimbursing the City \$30,000 to Mitigate for the Loss of Community Gardens Damaged or Removed as Part of the Highway 50 Operational Improvements Project, and Authorize the City Manager to Execute Same; and Approving a Budget Appropriation from the Transportation Fund in the amount of \$30,000 (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a Resolution Approving the Cooperative Agreement-Authority to Reimburse with CalTrans for the purpose of Reimbursing the City \$30,000 to Mitigate for the Loss of Community Gardens Damaged or Removed as Part of the Highway 50 Operational Improvements Project, and Authorize the City Manager to Execute Same; and Approving a Budget Appropriation from the Transportation Fund in the amount of \$30,000.

12.4 Oral Report Regarding Construction Activities at 2872 Mosquito Road (Mr. Morris)

- 13. COUNCIL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS – (Requests for Future Agenda Items Requires a Majority Concurrence of the Council)**
- 14. CITY MANAGER AND STAFF REPORTS**
- 15. UPCOMING ITEMS**
- 16. ADJOURNMENT**

The meeting is adjourned in memory of retired Placerville Fire Chief, Albert Herzig. The next Regular Council meeting will be held on August 23, 2011: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk

CERTIFICATION OF AGENDA POSTING

I, Susan C. Zito, MMC, City Clerk of the City of Placerville,
Declare that the foregoing Agenda for the August 9, 2011
Regular Meeting of the Placerville City Council was posted and
available for review on August 4, 2011 at the City Hall of the
City of Placerville, 3101 Center Street, Placerville, CA 95667.

The Agenda is also available on the City website at
www.cityofplacerville.org

Signed this fourth day of August, 2011 at Placerville, California.

Susan C. Zito, MMC, City Clerk