

**CITY OF PLACERVILLE
CITY COUNCIL AGENDA**

Regular City Council Meeting
June 14, 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 54957.6 Conference with Labor Negotiator
Agency Negotiator: Patrick Clark
Employee Organization: Local 39 and Unrepresented Units
- Govt. Code 54956.9 Conference with Legal Counsel – Anticipated Litigation –
one case

*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**

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

3. **ANNOUNCEMENTS TO THE PUBLIC**
 - 3.1 **Bell Tower Brewfest – June 25, 2011, from 6:00 P.M. to 9:00 P.M.
(Chief Nielsen)**

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

5. **ADOPTION OF AGENDA**

6. CEREMONIAL MATTERS

6.1 A Proclamation of the City Council declaring June 16 -19, 2011 as El Dorado County Fair Week

The Proclamation will be accepted by Jody Gray, Manager of the El Dorado County Fair.

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 May 24, 2011 (Ms. Zito)

Recommendation by the City Clerk that the City Council approve the Minutes of the regularly scheduled Council meeting of May 24, 2011.

8.2 Warrant Register (Mr. Warren)

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

8.3 Payroll Registers (Mr. Warren)

Recommendation by the Director of Finance that the City Council approve the Payroll Registers for Pay Periods 24 and 25.

8.4 Adopt a Resolution of the City Council of the City Placerville Authorizing the Mayor to Execute an Amendment to the Agreement for Employment of City Manager between M. Cleve Morris and the City of Placerville (Mr. Driscoll)

Resolution No. _____

Recommendation by the City Attorney that the City Council adopt a Resolution authorizing the Mayor to execute an amendment to the Agreement for Employment of the City Manager between M. Cleve Morris and the City of Placerville.

8.5 Adopt a Resolution Approving a Right-of-Way Contract Between the City of Placerville and Kenneth and Nicola Macklin, Trustees of the Kenneth and Nicola Macklin Family Trust Dated August 16, 1999, for the Purpose of Obtaining a Utility Easement for the PG&E Transformer Located on Their Property at 118 Main Street; and Authorizing the City Manager to Execute Same and Further Authorizing the City Clerk to Record Said Agreement with the County Recorder (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a Resolution for the following action:

1. *Approving a Right-of-Way Contract Between the City of Placerville and Kenneth and Nicola Macklin, Trustees of the Kenneth and Nicola Macklin Family Trust dated August 16, 1999, for the purpose of obtaining a utility easement for the PG&E transformer located on their property at 118 Main Street; and*
2. *Authorizing the City Manager to execute same and further authorizing the City Clerk to record said agreement with the County Recorder.*

8.6 Adopt a Resolution Declaring the Intention to Provide for Annual Levy and Collection of Assessments Pursuant to the Provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California and Setting a Time and Place for Public Hearing Thereon (Orchard Hill and Cottonwood) (Mr. Warren)

Resolution No. _____

Recommendation by the Director of Finance that the City Council adopt a Resolution declaring the intention to provide for annual levy and collection of assessments pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California and setting a time and place for public hearing thereon (Orchard Hill and Cottonwood)

8.7 Authorize the Mayor and City Council to Sign a Letter from the City Council, or Adopt a Resolution Encouraging the State to Reform Redevelopment, Don't Eliminate It (Mr. Morris)

Recommendation by the City Manager that the City Council authorize the Mayor and Council to sign a letter from the City Council, or adopt a Resolution encouraging the State to Reform Redevelopment, Don't Eliminate It.

8.8 Recommendation to Notify the Media and Public, by Approval of This Request, to Cancel the Regularly Scheduled City Council Meeting of July 26, 2011 (Ms. Zito)

Recommendation by the City Clerk to notify the Media and Public, by approval of this request, to cancel the regularly scheduled City Council meeting of July 26, 2011.

9. ITEMS PULLED FROM THE CONSENT CALENDAR

10. ORDINANCES

10.1 Waive the Second Reading of an Ordinance Amending Title 1, Chapter 4; Title 2, Chapter 7; Title 3, Chapters 6 & 9; Title 4, Chapters 1, 2, 3, 4, & 7; Title 6, Chapter 14; Title 8, Chapter 7; and Title 10, Chapters 1, 4, and 5 of the Placerville Municipal Code to Correct Outdated, Inconsistent and Redundant Language Relating to the Adoption and Enforcement of California Building Codes Within the City; and Adopting by Reference the California Building Standards Code (California Code of Regulations, Title 24, Parts 1 through 12) (Mr. Brownlee)

Ordinance No. _____

Recommendation by the Building Official that the City Council waive the Second Reading of an Ordinance amending Title 1, Chapter 4; Title 2, Chapter 7; Title 3, Chapters 6 & 9; Title 4, Chapters 1, 2, 3, 4, & 7; Title 6, Chapter 14; Title 8, Chapter 7; and Title 10, Chapters 1, 4, and 5 of the Placerville Municipal Code to correct outdated, inconsistent and redundant language relating to the adoption and enforcement of California Building Codes within the City; and adopting by reference the California Building Standards Code (California Code of Regulations, Title 24, Parts 1 through 12)

11. PUBLIC HEARINGS

11.1 Appeal of the May 3, 2011 Planning Commission Decision to Conditionally Approve Conditional Use Permit (CUP) 10-05 – a Request to Operate and Use a 78-Foot High “mono-pine” Wireless Communication Facility in a PF, Public Facilities Zone, on Property Owned by Placerville Union School District (Mr. Painter)

Recommendation by the City Planner that the City Council affirm the findings, the decision and conditions of project approval of the Planning Commission for CUP 10-05 contained herein, by approving Conditional Use Permit 10-05 for the AT&T Wireless project.

11.2 Appeal of the May 3, 2011 Planning Commission Decision to Conditionally Approve Conditional Use Permit (CUP) 10-08 – a Request to Modify an Existing Telecommunication Facility by Adding a 5 Foot Extension to the Existing 60 Foot Lattice Tower, Adding Nine Antennas to the Tower, and One Ground Cabinet (Mr. Painter)

Recommendation by the City Planner that the City Council affirm the findings, the decision and conditions of project approval of the Planning Commission for CUP 10-08 contained herein, by approving Conditional Use Permit 10-08 for the AT&T Wireless project.

11.3 Hold a Public Hearing Regarding the Proposed Fiscal Year 2011/2012 Operating and Capital Improvement Budgets, Provide Additional Input to Staff in Developing the Fiscal Year 2011/2012 Budget Proposals, and Acknowledge and File the Operating and Capital Improvement Program Budget Proposals for Fiscal Year 2011/2012 (Mr. Warren)

Recommendation by the Director of Finance that the City Council hold a Public Hearing regarding the proposed Fiscal Year 2011/2012 Operating and Capital Improvement Program Budgets, provide additional input to staff in developing the Fiscal Year 2011/2012 Budget proposals, and acknowledge and file the Operating and Capital Improvement Program Budget Proposals for Fiscal Year 2011/2012.

12. DISCUSSION/ACTION ITEMS

12.1 Adopt a Resolution Establishing a Program Encompassing the Placement of Monuments, Memorials and Plaques on City Property (Mr. Youel)

Resolution No. _____

Recommendation by the Director of Community Services that the City Council adopt a Resolution Establishing a Program Encompassing the Placement of Monuments, Memorials and Plaques on City Property.

12.2 Adopt a Resolution Approving the Formation and Makeup of a Redevelopment/Economic Development Advisory Committee (Mr. Morris)

Resolution No. _____

Recommendation by the City Manager that the City Council adopt a Resolution Approving the Formation and Makeup of a Redevelopment /Economic Development Advisory Committee.

12.3 Review Report Regarding Eminent Domain in California Redevelopment Agencies and Make Recommendations to Staff on How to Proceed (Mr. Morris)

Recommendation by the City Manager that the City Council review a report regarding Eminent Domain in California Redevelopment Agencies and make recommendations to Staff on how to proceed.

12.4 Adopt a Resolution Ratifying a Construction Contract with Teichert Construction in the Amount of \$24,740 for the Purpose of Constructing an Asphalt Overlay and Other Ancillary Items of Work on Main Street Between Pacific Street and Sacramento Street, and on Spring Street from the Intersection with Coloma Street to a Point Approximately 100' (feet) Easterly and Liquidate \$26,740 of Proposition 1B revenue from the Placerville Drive Pavement Repair Project (CIP #40901) budget and Approve a Budget Appropriation of Proposition 1B revenue in the Amount of \$26,740 for the Main Street and Spring Street Overlay Project (CIP #41110) (Mr. Pesses)

Resolution No. _____

Recommendation by the Director of Public Works that the City Council adopt a Resolution for the following action:

- 1. Ratify a Construction Contract with Teichert Construction in the Amount of \$24,740 for the purpose of constructing an asphalt overlay and other ancillary items of work on Main Street between Pacific Street and Sacramento Street, and on Spring Street from the intersection with Coloma Street to a Point Approximately 100' (feet) Easterly; and*
- 2. Liquidate \$26,740 of Proposition 1B revenue from the Placerville Drive Pavement Repair project (CIP #40901) budget; and*

3. *Approve a budget appropriation of Proposition 1B revenue in the amount of \$26,740 for the Main Street and Spring Street Overlay project (CIP #41110).*

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

14.1 Informational Item for the Road Name for the New Road Connecting Highway 50/Point View Drive to Jacquier Road as Part of the Point View Drive Extension Project (Mr. Pesses)

Informational Item only. No Council action requested.

15. UPCOMING ITEMS

16. ADJOURNMENT

The next Regular Council meeting will be held on June 28, 2011: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk

CERTIFICATION OF AGENDA POSTING

I, Susan C. Zito, CMC, City Clerk of the City of Placerville, Declare that the foregoing Agenda for the June 14, 2011 Regular Meeting of the Placerville City Council was posted and available for review on June 9, 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 9th day of June, 2011 at Placerville, California.

Susan C. Zito, MMC, City Clerk