

**CITY OF PLACERVILLE  
CITY COUNCIL AGENDA**

Regular City Council Meeting  
**December 14, 2010**

City Council Chambers – Town Hall  
549 Main Street, Placerville, CA 95667  
5:30 P.M. Closed Session  
6:30 P.M. Council Reception  
7:00 P.M. Open Session



2010

Pierre Rivas, Mayor  
David Machado, Vice-Mayor  
Mark Acuna, Councilmember  
Patricia Borelli, Councilmember  
Carl Hagen, 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](http://www.cityofplacerville.org)

**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 54956.95      Conference with Legal Counsel – Liability Claims – One Claim: The Claim Against the City of Jennifer Aldridge
- Govt. Code 54957.6      Conference with Labor Negotiator Agency Negotiator: David Mackowiak Employee Organizations: Police Officers’ Association, Local 39, all unrepresented employee groups
- Govt. Code 54956.8      Conference with Real Property Negotiator: Property Owner Umesh and Lee Patel; property location: 1332 Broadway, Placerville
- Govt. Code 54956.9      Conference with Legal Counsel: Anticipated Litigation: one case

**6:30 P.M.**

**RECEPTION FOR OUTGOING COUNCILMEMBER RIVAS AND NEW COUNCILMEMBER MATTSON AND RETURNING COUNCILMEMBERS BORELLI AND HAGEN**

*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, Rivas
3. **ANNOUNCEMENTS TO THE PUBLIC**
4. **CLOSED SESSION REPORT – City Attorney Driscoll**
5. **ADOPTION OF AGENDA**
6. **CEREMONIAL MATTERS**
  - 6.1 **Oath of Office to new Police Dispatch/Record Technicians Eric Ehly and Angelica Wedlow**
  - 6.2 **Recognition of Retiring Councilmember Pierre Rivas**
  - 6.3 **Certification of the El Dorado County Registrar of Voters’ Results of the Canvass of the Election Returns of the Consolidated General Election Held November 2, 2010**

*Recommendation from the City Clerk to acknowledge and file the Official Final Election Summary.*

- 6.4 **Adoption of the Resolution of the City Council of the City of Placerville Accepting the Certification of the Canvass of Ballots by El Dorado County Registrar of Voters for the November 2, 2010 Election**

**Resolution No. \_\_\_\_\_**

*Recommendation from the City Clerk that the City Council adopt a Resolution accepting the Certification of the Canvass of Ballots by the County Registrar of Voters for the November 2, 2010 Election.*

- 6.5 **Administration of the Oath of Office to New and Returning Councilmembers, and Presentation of Certificates of Election**

*At this time, newly elected and reelected officials will assemble on stage. The City Clerk will administer the Oath of Office. Following the Oath of Office, Councilmember Rivas will vacate his seat. Councilmembers Borelli, Hagen and Mattson will take their seats on the dais. The regular order of the agenda will resume at this time.*

## **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 November 23, 2010 (Ms. Zito)**

*Recommendation by the City Clerk that the City Council approve the Minutes of the regularly scheduled Council meeting of November 9, 2010.*

### **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 11 and 12.*

**8.4 Measure J Quarterly Financial Report (Mr. Warren)**

*Recommendation by the Director of Finance that the City Council acknowledge and file the Measure J quarterly financial report for the period ended September 30, 2010.*

**8.5 Auction/Surplus Property (Chief Nielsen)**

**Resolution No. \_\_\_\_\_**

*Recommendation by the Chief of Police that the City Council adopt a Resolution authorizing the release of surplus City property to Roger Ernst & Associates for sale in an upcoming auction, a copy of which auction contract and list of surplus property are attached to the staff report.*

**8.6 Gold Bug Park Gift Shop Coordinator Job Description (Mr. Youel)**

**Resolution No. \_\_\_\_\_**

*Recommendation by the Director of Community Services that the City Council adopt a Resolution approving the job description for Gold Bug Park Gift Shop Coordinator and establish a part-time pay rate scale for the position.*

**8.7 Acceptance of Offer of Street Dedication and Offer of Public Utility Easement from Edward Mackay, 1895 Point View Drive, APN 049-110-29 (Point View Drive Extension Project) (Mr. Stong)**

**Resolution No. \_\_\_\_\_**

*Recommendation by the City Engineer that that City Council adopt a Resolution for the following action:*

- 1. Accepting an Offer of Dedication for road and public utility purposes, and an Offer of Public Utility Easement from Edward Mackay, 1895 Point View Drive, APN 049-110-29; and*

2. *Directing the City Clerk to record said Offers of Dedication with the Office of the El Dorado County Recorder/ Clerk.*

**8.8 Addendum to a Professional Services Agreement for the Examination of Measure H Sales Tax Transactions and Use Tax Records (Mr. Warren)**

**Resolution No. \_\_\_\_\_**

*Recommendation by the Director of Finance that the City Council adopt a Resolution amending the professional services agreement with Hinderliter, de Llamas & Associates to examine Measure H sales tax and use tax records.*

**8.9 Agreements for Preparation to Administer and Operate the City's Transaction and Use Tax Ordinance and Ongoing Administration of City's Transaction and Use Taxes (Mr. Warren)**

**Resolution No. \_\_\_\_\_**

*Recommendation by the Director of Finance that the City Council adopt a Resolution authorizing the City Manager/ City Attorney to execute agreements with the State Board of Equalization for the implementation of local transactions and use taxes.*

**9. ITEMS PULLED FROM THE CONSENT CALENDAR**

**10. ORDINANCES**

**10.1 First Reading Code Regarding Zoning Text Amendment – 10-4-10 (B): Historical Criteria (Mr. Calfee)**

**Ordinance No. \_\_\_\_\_**

*On December 7, 2010, the Planning Commission made the following recommendation to the City Council on a 4-0 vote:*

1. *Make the finding that this request is consistent with the following General Plan Community Design Element Goals and Policies:*
  - A. *Goal C, which states: "To protect and enhance the visual quality and neighborhood integrity of residential areas."*
  - B. *Goal C, Policy 1, which states: "The City shall promote and protect residential neighborhoods from incompatible uses."*
  - C. *Goal C, Policy 6, which states: "The City shall encourage proper maintenance of homes, buildings, and yards to provide the best possible visual quality in each neighborhood."*
  - D. *Goal B, which states: "To protect and upgrade the visual and historic character of downtown."*
  - E. *Goal B, Policy 4, which states: "The City shall encourage downtown property owners and merchants to develop a comprehensive program which will set forth common objectives for the enhancement and revitalization of the downtown area, and develop appropriate implementation measures."*
2. *Introduce an Ordinance amending Title X, Chapter 4, Section 10, Subsection (B) (§ 10-4-10(B)).*
3. *Waive the First Reading of said Ordinance.*

**11. PUBLIC HEARINGS – None Scheduled**

**12. DISCUSSION/ACTION ITEMS – None Scheduled**

**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 next Regular Council meeting will be held on January 11, 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 December 14, 2010  
Regular Meeting of the Placerville City Council was posted and  
available for review on December 9, 2010 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](http://www.cityofplacerville.org)

Signed this 9th day of December, 2010 at Placerville, California.

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Susan C. Zito, MMC, City Clerk