

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
March 9, 2010

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

6:30 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

7:00 P.M. OPEN SESSION

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

The Mayor called the meeting to order at 7:10 P.M. The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: **Present: Borelli, Hagen, Machado, Rivas
Absent: Acuna**

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 Public Workshop Regarding Water & Sewer Rates (Mr. Warren)

The Director of Finance announced that a public workshop will be held on Thursday, March 18, 2010 at 6:30 P.M. at the Seventh Day Adventist School, 1900 Broadway Drive.

3.2 Clarification of Items Reported in the Mountain Democrat

Staff thanked the Mountain Democrat for their continuing coverage of City Council meetings, but clarified items that had recently appeared in the newspaper. A budget deficit of \$1,040,000 had been reported, but the amount was actually \$104,055 budget deficit. The newspaper also attributed a recent homicide that had occurred behind K-Mart shopping center as within the City. The Chief of Police noted that K-Mart is within the unincorporated area of El Dorado County, and not within our City limits or our jurisdiction. The homicide would be attributed to the County, not the City.

4. CLOSED SESSION REPORT

Mayor Rivas announced that no reportable action had been taken in Closed Session.

5. ADOPTION OF AGENDA

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

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

6. CEREMONIAL MATTERS

6.1 Recognition of Cadet James Knapp (Chief Nielsen)

Chief Nielsen commended Cadet Knapp for his volunteer efforts as a cadet since 2005, and noted that he had reached the upper age limit for a cadet and was “aging out” of the program. Cadet Knapp was instrumental in fundraising efforts for the City’s canine and bloodhound program. Cadet Knapp is a local college student and thanked that Council for the opportunity to contribute to the community in this program.

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

Susan Rodman addressed the Council regarding her concern that the site of the Special Council Workshop on March 18th, the Seventh Day Adventist School at 1900 Broadway Drive, was dark at night. The Council noted that the meeting would begin at 6:30 p.m. and daylight savings time would be in effect by that meeting date.

Vice-Mayor Machado requested that staff agendaize a report on the status of the Cottonwood subdivision and the hotel site on Point View Drive.

Vice-Mayor Machado requested that a notation be added to the Council agenda beginning at the April 13th meeting, under "Councilmember's Reports" for the ongoing meetings between the City and El Dorado Irrigation District (EID).

Councilmember Borelli thanked the Community Pride Committee for the completed mural at the Mooney Lot, east of Tortilla Flats Restaurant.

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 February 23, 2010 (Ms. Zito)

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

8.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.3 Payroll Registers (Mr. Warren)

Approved the Payroll Registers for Pay Periods 17 & 18.

8.4 Resolution Authorizing the Execution of a Funding Agreement with El Dorado County for the Purchase of Mobile Data System Upgrades and the Computers to Support the System, GPS Devices and Patrol Kits (Chief Nielsen)

Resolution No. 7777

Adopted a Resolution authorizing the execution of a Funding Agreement with El Dorado County for the purchase of Mobile Data System upgrades and the computers to support the system, GPS devices and Patrol Kits.

8.5 Investment Policy (Mr. Warren)

Resolution No. 7778

Adopted a Resolution approving the City's investment policy as presented.

8.6 Acceptance of Easement Grant Deed of Sewer Easement for the Highway 50 Operations Project (Mr. Pesses)

Resolution No. 7779

Adopted a Resolution for the following action:

1. *Accepting the Easement Grant Deed of Sewer Easement, attached hereto and incorporated herein by reference, and authorize the Mayor to execute same.*
2. *Authorizing the City Clerk to record the Easement Grant Deed with the office of the County Recorder, El Dorado County.*

8.7 Summary Vacation of Public Utilities Easement at 2565 Bedford Avenue (APN: 050-620-09) (Mr. Pesses)

Resolution No. 7780

Adopted a Resolution for the following action:

1. *Authorizing the Summary Vacation of a Public Utilities Easement (P.U.E.) of approximately 5' along the southerly boundary line of 2565 Bedford Avenue (APN: 050-620-09).*
2. *Authorizing the City Clerk to record the Resolution of Summary Vacation with the Office of the County Recorder, El Dorado County.*

8.8 Approval of Contract Change Order No. 5 and Authorization for the Public Works Director to Execute a Notice of Completion for the "Asphalt Concrete Overlay 2009 – Cold Springs Road and Carson Road Contract No. 40911 (CIP #41001) (Mr. Pesses)

Resolution No. 7781

Adopted a Resolution for the following action:

1. *Approving Contract Change Order (CCO) No. 5 in the amount of \$10,559 and authorizing the Public Works*

- Director to execute said change order with Doug Veerkamp General Engineering; and*
2. *Accepting the Asphalt Concrete Overlay 2009 – Cold Springs Road and Carson Road Project No. 40911 and all associated work as complete; and*
 3. *Authorizing the Public Works Director to execute a Notice of Completion and instructing the City Clerk to record said Notice with the El Dorado County Recorder’s Office; and*
 4. *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*
 5. *Authorizing the release of the Performance Bond and the release of the Labor and Materials Surety Bond, Within the statutory 30 day time period, provided no claims are made against the project.*

8.9 Consulting Services Agreement with CTA Engineering & Surveying in an Amount Not to Exceed \$58,970. For Design, Surveying, and Right of Way Engineering Services on the Point View Drive Extension Project (Mr. Pesses)

Resolution No. 7782

Adopted a Resolution for the following action:

1. *Approving a consulting services agreement with CTA Engineering and Surveying in an amount not to exceed \$58,970 for design, surveying, and right-of-way engineering services on the Point View Drive Extension Project, and authorizing the City Manager to execute same.*

8.10 Resolution Authorizing the Filing of a Claim for Regional Surface Transportation Program (RSTP) Revenue (Mr. Warren)

Pulled by Councilmember Borelli and re-numbered as Item 9.1

It was moved by Councilmember Hagen and seconded by Councilmember Borelli to approve the Consent Calendar with Vice-Mayor Machado abstaining from Item 8.9. The motion was passed by the following vote:

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

9.1 Resolution Authorizing the Filing of a Claim for Regional Surface Transportation Program (RSTP) Revenue (Mr. Warren)

Resolution No. 7783

Following staff clarification of the use of restricted funds, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the Director of Finance to submit a claim to the El Dorado County Transportation Commission (EDCTC) for RSTP revenue in the amount of \$34,632.15 as partial reimbursement for design costs incurred thus far related to the Clay Street/Cedar Ravine Realignment project (CIP #40617). The motion was passed by the following vote:

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

10. ORDINANCES – None Scheduled

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Authorize the Public Works Director to Implement a Policy for the Installation of Irrigation Meters (Mr. Pesses)

Resolution No. 7784

Staff summarized the policy and responded to Council questions. Public comment was received from Susan Rodman, Cindy Savage, and Bob Bell. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council adopt a Resolution authorizing the Director of Public Works to implement a new Policy for the installation of irrigation meters. The motion was passed by the following vote:

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

13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

Councilmember Borelli requested clarification on building materials that may be in 301 and 305 Main Street, and how a member of the public could purchase those materials. The Director of Public Works responded that the property owner was responsible for the disposition of any salvageable items on his property and suggested that the property owner be contacted.

14. STAFF REPORTS

No staff reports were noted.

15. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council meeting on March 23, 2010 include: a First Reading of an Ordinance regarding Used Merchandise Stores, an extension of the Medical Marijuana Dispensary Urgency Ordinance, proposed agreement with Sierra Community Access Television (SCAT) and an engineering

consulting services agreement for street overlay projects on lower Main Street, Morrene Drive, Canal Street, Spring Street, and Placerville Drive that are eligible for funding from the Jobs for Main Street Act.

16. ADJOURNMENT at 8:35 P.M.

A Special Council Workshop is scheduled on Thursday, March 18, 2010, at the 7th Day Adventist School, 1900 Broadway Drive, Placerville at 6:30 P.M.

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

Susan Zito, CMC
City Clerk