

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
December 9, 2008

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667

6:15 P.M. Reception in Honor of City Retirees
6:30 P.M. Closed Session
7:00 P.M. Open Session

**6:15 P.M. RECEPTION IN HONOR OF CITY RETIREES KEN MICKULECKY
AND BRIAN NUNEZ**

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 Organization: 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 7:00 P.M. The Pledge of Allegiance to the Flag was recited.

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

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 Presentation by David Turch regarding legislative advocacy.

Mr. Turch summarized the effect of the recent general election on future federal funding of City projects.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Manager/Attorney noted that no reportable action had been taken in Closed Session.

5. ADOPTION OF AGENDA

The City Manager/Attorney requested that Item 12.1 be heard prior to Item 11.1 It was then moved by Councilmember Colvin and seconded by Councilmember Acuna that the City Council adopt the Agenda as modified. The motion was passed by the following vote:

AYES: Acuna, Borelli, Colvin, Hagen, Rivas

6. CEREMONIAL MATTERS

6.1 Recognition of Retirees Ken Mikulecky (24 years) and Brian Nunez (39 years)

The Director of Public Works summarized the careers of both Mr. Nunez and Mr. Mikulecky. Mr. Nunez was unable to attend the Council meeting. The Mayor commended Mr. Mikulecky on his years of service to the City and presented him with a retirement gift of a watch.

6.2 Certification of the El Dorado County Registrar of Voters' Results of the Canvass of the Election Returns of the Consolidated General Election Held November 4, 2008

It was moved by Councilmember Borelli and seconded by Councilmember Rivas that the City Council acknowledge and file the Official Final Election Summary, dated 12/01/08. The motion was passed by the following vote:

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

6.3 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 4, 2008 Election

Resolution No. 7658

It was moved by Councilmember Rivas and seconded by Councilmember Borelli that the City Council adopt a Resolution accepting the Certification of the Canvass of Ballots by the County Registrar of Voters for the November 4, 2008 Election. The motion was passed by the following vote:

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

6.4 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 assembled on stage. The City Clerk administered the Oath of Office. Following the Oath of Office, Councilmember Colvin thanked the public for the privilege of serving on the City Council for eight years and vacated her seat. Councilmembers Acuna and Machado were seated on the dais.

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

No oral comments were noted.

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.

7.2 Written Communication

The City Manager/Attorney noted that a letter of thanks had been received from Eric and Amy Soik, thanking Chief Nielsen and Lieutenant Nida for their attendance at a recent meeting regarding the El Dorado High School lock-down situation several months ago.

8. CONSENT CALENDAR

NOTE: All matters listed under the Consent Calendar are considered routine and are enacted by one motion by roll call vote.

8.1 Minutes of the Special Council Meeting of November 20, 2008 (Ms. Zito)

Approved the Minutes of the Special City Council meeting of November 20, 2008, with Councilmember Machado abstaining.

8.2 Minutes of the Regular Council Meeting of November 25, 2008 (Ms. Zito)

Approved the Minutes of the regularly scheduled City Council meeting of November 25, 2008, with Councilmember Machado abstaining. .

8.3 Warrant Register (Mr. Warren)

Approved the Warrant Register.

8.4 Payroll Register (Mr. Warren)

Approved the Payroll Register.

8.5 Award of Bid – Lions Park Playground Equipment (Mr. Youel)

Resolution No. 7659

Adopted a resolution authorizing the Director of Community Services to purchase playground equipment for Lions Park from Miracle Recreation Equipment Company in the amount of \$47,764 pursuant to the State of California Multiple Award Schedule.

8.6 Aquatic Risk Management Agreement (Mr. Youel)

Resolution No. 7660

Adopted a resolution authorizing the execution of a one-year agreement between the City of Placerville and Ellis & Associates to participate in the Comprehensive Aquatic Risk Management Program.

8.7 Quarterly Investment Report (Mr. Warren)

Pulled by Councilmember Rivas and re-numbered as Item 9.1

8.8 Approval of Contract Change Order No. 1 for the Fox Parking Lot Sewer Line Relocation Project, Project No. 40316 (Mr. Tippet)

Pulled by Councilmember Machado and re-numbered as Item 9.2

8.9 Approval of Contract Change Order No. 1 and the Reduction of Retention Being Held for the Bedford Avenue Water Line Relocation Project, Project No. 40416 (Mr. Tippet)

Resolution No. 7662

- 1. Adopted a Resolution approving Contract Change Order No. 1 in the amount of \$18,838 bring the total contract amount to \$127,325; and*
- 2. Authorized the Finance Department to reduce the amount of Retention for Construction Security being held from ten percent (10%) to five percent (5%).*

It was moved by Councilmember Acuna and seconded by Councilmember Rivas to approve the Consent Calendar as modified. The motion was passed by the following vote:

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

9. ITEMS PULLED FROM THE CONSENT CALENDAR

9.1 Quarterly Investment Report (Mr. Warren)

Councilmember Rivas commended the Director of Finance regarding the successful investment strategy that the City has followed. Following Council discussion, it was moved by Councilmember Rivas and seconded by Councilmember Acuna to acknowledge and file the Quarterly Investment Report ending September 30, 2008. The motion was passed by the following vote:

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

9.2 Approval of Contract Change Order No. 1 for the Fox Parking Lot Sewer Line Relocation Project, Project No. 40316 (Mr. Tippett)

Resolution No. 7661

Councilmember Machado requested clarification regarding the use of restricted funds. Following an explanation by the City Manager/ Attorney, it was moved by Councilmember Acuna and seconded by Vice-Mayor Borelli that the City Council adopt a resolution approving Contract Change Order No. 1 in the amount of \$51,590 and authorize the Public Works Director of City Engineer to execute said Contract Change Order No. 1 with Doug Veerkamp General Engineering. The motion was passed by the following vote:

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

10. ORDINANCES – None Scheduled

11. PUBLIC HEARINGS

11.1 Planning Commission Appeal – Site Plan Review 08-07, Drive-up/Walk-up Retail – Placerville Coffee Depot (Mr. Calfee)

An overview of the project was presented by the Director of Community Development. The Mayor opened the Public Hearing. Comment was received from appellants Stacy and Mario Alway. Project proponent, John Mosbacher, and project architect Stephen Johnson of Wolfe and Johnson Architects, addressed the Council. Public comment was received from Carol Patton, Mike Kobus, Les Russell, Carl Anne Ogdin, Linda Johnson, Kathi Lishman. The Mayor closed the Public Hearing. Following Council discussion, it was moved by Councilmember Acuna and seconded by Mayor Hagen that the City Council approve Site Plan Review 08-07, a request to establish a drive-up/walk-up retail business (Placerville Coffee Depot) located at 68-70 Main Street, with the Findings and Conditions of Approval stated in the staff report, and with the understanding that the appellant will work with staff to address potential traffic flow issues, the potential to allow outdoor seating, and drive-way-appropriate-measures from the least to most restrictive at the eastern driveway. The motion was passed by the following vote:

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

12. DISCUSSION/ACTION ITEMS

12.1 Placerville Drive Multi-Modal Corridor Mobility Study (Mr. Driscoll)

- 1. *An overview of the study was presented by Jerry Barton, El Dorado County Transportation Commission staff and Jeffrey Damon, Parson-Brinckerhoff Consultants. Mayor Hagen and Vice-Mayor Borelli cited a conflict of interest and recused*

themselves from the presentation. Following the presentation, it was moved by Councilmember Rivas and seconded by Councilmember Acuna to receive and file the Placerville Drive Multi-Modal Corridor Mobility Study Draft Report. The motion was passed by the following vote:

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

13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS

Councilmember Rivas inquired about the Waste Connections fuel surcharge in light of the reduction in the price of fuel. The City Manager/ Attorney responded that he had been in contact with Waste Connections regarding the issue.

Councilmember Rivas summarized a recent Sacramento Area Council of Governments (SACOG) meeting.

Vice-Mayor Borelli inquired about the City's ability to prioritize candidate projects for the economic stimulus package proposed by the new presidential administration.

Mayor Hagen noted that the El Dorado Center Community College will be offering courses in Waste Water Management and hoped that City employees desiring a career path in this area would take advantage of this local educational opportunity.

Councilmember Machado noted that prior to his election to the Council, he had met with a representative of El Dorado High School to determine the feasibility of a Canal Street pedestrian overcrossing adjacent to the high school.

14. STAFF REPORTS

The City Manager/ Attorney noted that he had been in attendance at a meeting of a citizen group, PACT, exploring redevelopment issues in the three main business districts of Placerville. The PACT group has requested

a joint meeting with the City Council and has proposed a meeting date of February 4, 2009.

15. UPCOMING ITEMS

Items tentatively scheduled for the next regularly scheduled Council meeting include waste water and water connection fees, and several contract amendments.

16. ADJOURNMENT at 11:p.m.

The next Regular Council meeting will be held on January 13, 2009: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC
City Clerk