

**CITY OF PLACERVILLE  
CITY COUNCIL**

**MINUTES**

Regular City Council Meeting  
**March 23, 2010**

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

**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: David Mackowiak  
Employee Organizations: Local 39 and Police Officers’  
Association
- Govt. Code 54957      Personnel: Public Employee Retirement
- Govt. Code 54956.95      Liability Claim: Western Water Constructors
- Govt. Code 54956.9      Threatened Litigation: One Case

---

**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:**      Acuna, Borelli, Hagen, Machado, Rivas**

**3. ANNOUNCEMENTS TO THE PUBLIC**

**3.1 Officer of the Year – Sergeant John Kunkel (Chief Nielsen)**

*The Chief of Police summarized Sergeant Kunkel’s accomplishments and explained the competitive process used to select the Officer of the Year. The Chief further noted that Sergeant Kunkel had been taken ill, and requested that the Council invite him to a future Council meeting so that he may be properly recognized.*

**3.2 Senior Day Care of El Dorado County Survey (Kathi Lishman, City Appointee to the El Dorado County Commission on Aging)**

*Kathi Lishman, the City appointee to the Commission on Aging, summarized the programs offered and noted that a survey had been developed for the public to complete regarding interest in utilizing the Senior Day Care Center. The survey will be available on the City’s website, and copies are available at both City Hall and Town Hall. Those interested may also contact the Senior Day Care Center at (530) 621-6180 for further information.*

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

*The City Attorney noted that in that matter of the liability claim of Western Water Constructors, the Council rejected the claim by unanimous vote.*

*No other reportable action was taken in Closed Session.*

**5. ADOPTION OF AGENDA**

*The City Manager/Attorney reported that Item 10.1, regarding Used Merchandise Stores, would be continued to the next regularly scheduled Council meeting on April 13, 2010. It was moved by Councilmember Acuna and seconded by Councilmember Borelli to adopt the Agenda as presented. The motion was passed by the following vote:*

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

**6. CEREMONIAL MATTERS**

*No items were 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.

**7.1 Oral Communication**

*David Cole addressed the Council regarding Item 12.3. The Mayor requested that Mr. Cole address the Council at that portion of the meeting.*

*Vice-Mayor Machado requested that staff bring back information at a future Council meeting on the hotel on Broadway which may be housing long-term tenants.*

*Vice-Mayor Machado requested that staff bring back information on the sign ordinance at a future Council meeting.*

**7.2 Written Communication**

*The City Manager/Attorney noted that written correspondence had been received from: (1) Susan Zito regarding the group feeding the homeless in Lumsden Park; (2) The Broadway Village Association in support of the Lumsden Park/Wiltse Road neighborhood regarding the homeless issue; (3) Heritage Association letter regarding historic guidelines; (4) David Cole letter regarding water and sewer rates; (5) Linda Hulshof letter regarding city barricade on Pennsylvania Avenue.*

## **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 March 9, 2010 (Ms. Zito)**

*Approved the Minutes of the regularly scheduled City Council meeting of March 9, 2010.*

### **8.2 Warrant Register (Mr. Warren)**

*Approved the Warrant Register.*

### **8.3 Payroll Register (Mr. Warren)**

*Approved the Payroll Register.*

### **8.4 Amendment No. 1 to the Consulting Services Agreement with BT Consulting for Design of the Giovanni and Madrone Sewer Lift Stations (Mr. Pesses)**

#### **Resolution No. 7785**

*Adopted a Resolution for the following action:*

- 1. Authorizing the City manager to execute Amendment No. 1 to the Consulting Services Agreement with BT Consulting in an amount not to exceed \$22,300 to provide additional topographic surveying services for the Giovanni Sewer Lift Station, and to provide project design services on the City's "Jobs for Main Street Act of 2010" list of street rehabilitation projects; and*
- 2. Approving a budget appropriation of \$225,000 in exchanged RSTP revenue to the Transportation Fund; and*
- 3. Authorize the City Finance Director to submit a claim to the El Dorado County Transportation Commission in the amount of \$40,000 to cover \$20,000 of consultant costs, and \$20,000 of staff costs towards the development of the "Jobs for Main Street Act of 2010" rehabilitation projects.*

## **8.5 Interim Continuing Appropriations (Mr. Warren)**

### **Resolution No. 7786**

*Adopted a Resolution that authorizes the continuation of Water and Sewer Enterprise Fund expenditure level authorizations prorated at 255 as adopted in the Fiscal Year 2008/2009 Operating Budget and as modified through June 30, 2009, plus debt service payments.*

*It was moved by Councilmember Hagen and seconded by Councilmember Borelli to approve the Consent Calendar as presented. 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**

*No items were pulled from the Consent Calendar.*

## **10. ORDINANCES**

### **10.1 First Reading of an Ordinance Regarding Used Merchandise Stores (Mr. Calfee)**

*This item has been continued to the next regularly scheduled Council meeting on April 13, 2010.*

## **11. PUBLIC HEARINGS – None Scheduled**

## **12. DISCUSSION/ACTION ITEMS**

### **12.1 Execution of an Agreement for Public Access with Sierra Community Access Television (SCAT), Inc. (Mr. Driscoll)**

### **Resolution No. 7787**

*Public comment was received from Jeanne Redmond, Roger Ruby, Maryal Bouman, Ann Curtis, Janet Henke, Dr. Ted Rulison. Following public comment and Council discussion, it was moved by Councilmember Acuna and seconded by Councilmember Borelli to adopt a Resolution authorizing the City Manager to execute an Agreement with Sierra Community Access Television, Inc. (SCAT), providing public access television programming on Channel 2, at such time as SCAT has acquired sufficient operating funds to cover one year's expenses. The motion was passed by the following vote:*

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

### **12.2 Extension of Medical Marijuana Dispensary Moratorium (Mr. Driscoll)**

*Public comment was received from Matt Vaughn, Skip Jones, Robert Williams and Cheryl Shuman. Following Council discussion, it was moved by Councilmember Hagen and seconded by Councilmember Borelli that the City Council extend the moratorium prohibiting medical marijuana dispensaries for a period of up to six months. The motion was passed by the following vote:*

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

### **12.3 Review of Special Council Workshop of March 18, 2010**

*Public comment was received from David Cole, Cheryl Shuman, and Danica Olivo. Staff and Council also commented on the information presented and the public comments received at that workshop. No Council action was requested on this item. It was presented for informational purposes only.*

*Following the conclusion of this item, Mayor Rivas excused himself from the meeting and exited.*

**13. COUNCILMEMBERS REPORTS/ITEMS INITIATED BY COUNCILMEMBERS**

**13.1 Oral Report Regarding Washington D.C. Pre-Cap-to-Cap Trip (Councilmember Acuna and Mr. Driscoll)**

*Councilmember Acuna and City Manager/ Attorney Driscoll summarized the meetings they participated in, and the legislators they met with while in Washington, D.C.*

**13.2 Report of Upcoming Meeting between the City of Placerville and El Dorado Irrigation District (Councilmembers Hagen and Machado)**

*Councilmember Hagen and Vice-Mayor Machado noted that the agenda for the upcoming meeting between City representatives and El Dorado Irrigation District representatives includes cost sharing suggestions, joint efficiencies, and other items that would be of mutual benefit to local rate payers.*

**14. STAFF REPORTS**

**14.1 Staff Report Requested by Councilmember Machado Regarding the Cottonwood Subdivision and the Gateway Hotel site**

*Staff responded to Council questions regarding the two projects.*

**15. UPCOMING ITEMS**

*Items tentatively scheduled for the next Council meeting include a First Reading of an Ordinance regarding Used Merchandise Stores, Community Development Block Grant applications, sign ordinance information, transient issues, and information regarding a potential sales tax ballot initiative.*

**16. ADJOURNMENT 10:50 P.M.**

The next Regular Council meeting will be held on April 13, 2010: 6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, CMC  
City Clerk