

Jackson City Council  
Minutes  
Regular Meeting of May 27, 2014

Patrick Crew, Mayor  
Wayne Garibaldi  
Connie Gonsalves, Vice-Mayor  
Marilyn Lewis  
Keith Sweet

Michael Daly, City Manager  
Joshua Nelson, City Attorney  
Scott Morrison, Police Chief  
Mark Morton, Fire Chief  
Susan Peters, City Planner  
Gisele Cangelosi, City Clerk

**COUNCIL MEMBERS ABSENT:**

Mayor Crew called the meeting to order at 7:00 p.m.

**1. APPROVAL OF AGENDA.**

**Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves, and carried by a 5 to 0 vote to approve the City Council Agenda dated May 27, 2014 as presented. Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Sweet, Lewis**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**2. PUBLIC MATTERS NOT ON THE AGENDA.**

Lisa Lucke, Daley Haney, Angela Hayes, Debbie Mackey, and Jeff Votaw were present to request the City of Jackson Support their resolution requesting the abandonment of the plan by the Amador County Unified School District Board to close any school in the county.

Vice-Mayor Gonsalves inquired if this item could be discussed in open session. City Manager Daly reported he would put this item on the June 9<sup>th</sup> agenda in order to meet the June 11 deadline.

**3. CONSENT CALENDAR.**

- a. Approval of Minutes of May 12, 2014 meeting.
- b. Approval of Expenditure Report for the period of May the amount of \$219,075.35.
- c. Approval of Lot Line Adjustment – 1235 Jackson Gate Road, Teresa’s Place, Inc.
- d. Notice of Completion – Eva Way Water Line Replacement Project.
- e. Approval of Fireworks at Argonaut High School Graduation – Friday, June 6, 2014.
- f. Approve Request from Jackson Lions Club for Use of Detert Park Parking Lot area for Fireworks Sales, June 28 to July 4, 2014. Mike change location to Grocery Outlet Parking Lot.

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the Consent Calendar except for.**

**Mayor Crew abstained on the approval of Check 1617 in the amount of \$75.00.**

**Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

**4. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported on the following:

1. EMS Awards Dinner - Malory Scaccianoce was awarded Countywide 1<sup>st</sup> Responder.
2. Participated in the Memorial Day Celebration.

Police Chief Morrison reported he was looking into COPS hiring grant.

City Planner Peters reported on the following:

1. Updating applications to include indemnification and direct cost.
2. Continues to work on the remaining Housing Elements.

City Manager Daly reported on the following:

1. LAFCO approved 2014 Municipal Service Review and the City's comments were approved. .  
Mayor Crew stated City of Jackson was the only city that complied.
2. Staff working on the 2014-15 Preliminary Budget information.
3. Rand Huggett now on the "O" in Jackson on the mural on the Jackson Fire Station. It is coming along nicely.
4. Measure E funding Request for Proposal went out. The committee's recommendations will be submitted for approval next month.

**5. COUNCIL REPORTS.**

Councilmember Garibaldi reported on the following:

1. Amador County Recreational Agency meeting cancelled due to lack of a quorum.
2. When will Jackson Rotary be finishing the weed eating at the Vista Point. Mayor Crew stated it should be by June 7.

Vice-Mayor Gonsalves attended the JBCA's Mother Lode Cruise Car Show held Saturday, May 18.

Councilmember Lewis attended the ACTC meeting as the Alternate.

Councilmember Sweet thanked Councilmember Lewis for attending the ACTC meeting in his absence.

Mayor Crew reported on the following:

1. Attended the LAFCO meeting.
2. Attended the Sutter Amador Hospital Open House.

**DISCUSSION CALENDAR**

For the record: Action minutes provide the necessary documentation of City Council actions and audio recordings are retained for those desiring more detail on particular agenda item discussion. These audio recordings provide an accurate and comprehensive backup of City council deliberations and citizen discussion.

## **6. Wastewater Rate Analysis Overview.**

City Manager Daly reported the City has been developing options for meeting the State Regional Water Quality Control Board requirements for discharging treated effluent (wastewater) into Jackson Creek on a year round basis. This was the City's preferred option, as opposed to discharging on nearby ranch land during the summer months. Several upgrades will be required at the Jackson wastewater treatment plant (WWTP) in order to meet the water quality requirements included in the City's NPDES permit issued in December, 2013. Those requirements include filter improvements to improve turbidity and total coliform, nitrification-denitrification upgrades to deal with ammonia and nitrate levels, and an Ultra Violet light disinfection system to replace the current chlorine based system. The total estimated cost of these systems is a combined \$12 million. The City intends to submit a Clean Water State Revolving Fund (CWSRF) application to secure the funding for this project. Current rates are 1.9% and can be stretched over 30 years. In addition to project capital costs, the City's operational expenses are also expected to increase as a result of this project. The City continues to contract with Stantec Consulting Engineers to design the recommended system. A contract was also awarded to G. Aronow Consulting, Economics and Public Finance, to assist with the rate study aspect of this project. In addition to requiring detailed information to provide to the State Water Board Division of Financial Assistance in support of a CWSRF application, the City's rate structure, particularly for commercial customers, was outdated and in need of a review.

Dave Price and Georgette Aronow were present to discuss the rate analysis, including greater detail on the commercial charges. Tonight's presentation overview included the WWTP Project Review, Rate Analysis Overview and Estimated Rate Impacts. A spreadsheet relating the cost for each current business in the City will be available for review next week.

Mayor Crew opened the public discussion. The following individual spoke their concerns regarding the Wastewater Rate Analysis Overview: Judy Jebian, Bill Orescan and Jack Georgette. Hearing no further comments from the public, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff, it was the consensus of the City Council to form a rate review committee and have the committee select 3 members at large to serve on the committee. Vice-Mayor Gonsalves and Councilmember Sweet volunteered to service on this committee and will submit Sewer Rate Committee Appointments at the next meeting.

## **7. Schedule of Fee Updates for Building and Planning Services. Review and determine Council action.**

City Planner Peters reported the Schedule of Charges for Special Services includes the fees to be collected for all building and planning applications. Some of the fees are based on the estimate of the cost of the work to be completed, some of the fees are a deposit plus direct costs, and some are a flat fee. The fees based on the estimate of work to be completed appropriately cover the cost of processing the application. The deposit plus direct costs cover the direct costs including City Planner, City Engineer, and City Attorney time, but do not account for indirect costs such as administration and use of the facilities. The flat fees are considerably under the amount of actual application processing costs. To help recapture the costs associated with application processing, the City of Jackson Schedule of Charges should be amended to require applicants to pay direct costs plus a fifteen percent (15%) administrative/overhead fee. This approach to cost recovery is commonly utilized in other jurisdictions where the administrative/overhead component can range from 15% to 25%. Applicants will be required to sign a reimbursement agreement as a part of application submittal, and applications will not be deemed complete without a properly completed reimbursement agreement.

Mayor Crew opened the public hearing. Hearing no comments from the public, Mayor Crew closed the public hearing.

After considerable discussion among the City Council and staff, the following motion was made:

**Moved by Councilmember Sweet, to approve the adopt Resolution No. 2014-19 Establishing Fees for Special Services as presented. Motion died for lack of second.**

**Moved by Councilmember Garibaldi, seconded by Councilmember Lewis, and carried by a 4 to 1 vote (Mayor Crew dissenting) to approve the adopt Resolution No. 2014-19 Establishing Fees for Special Services Way as submitted without fifteen percent (15%) administrative/overhead fee.**

**Motion passed with the following vote:**

**AYES: Garibaldi, Gonsalves, Lewis, Sweet**  
**NOES: Crew**  
**ABSENT: None**  
**ABSTAIN: None**

**8. Annual Report and Request for Funding from Amador County Recreation Agency (ACRA).** City Manager Daly reported last year the funding was dropped during furloughs but was almost the full rate and ACRA requested a commitment of \$21,939.00.

Carolyn Fregulia, Acting Executive Director, Amador County Recreation Agency, was present to provide an overview and budget presentation for fiscal year 2014-2015. ACRA has become a regular governmental entity in the past year and is seeking funding for next fiscal year's operation. To achieve these goals, each member of the JPA agreed to pay fees based upon their population, amounting to \$5.00 per person, to cover ACRA's administration costs. ACRA was to also secure contracts to maintain facilities within the county and the cities. ACRA would develop comprehensive, self-sustaining recreation programs that generate revenue for services rendered. Additionally, grants, donations, and fund raising would play an important part in supporting the agency and its programs. To date, ACRA has achieved many of these goals.

1. Acquired three parks, Mollie Joyce in Pioneer, Lions Park outside of Sutter Creek, and River Pine Park. Contracted to maintain the county owned Fiddletown and Pioneer Parks.
2. Host a number of events, the 49er Bypass Run and Duck Race in Sutter Creek, the Downhill Extravaganza in Amador City, the Triathlon at Lake Camanche, the Aquathlon at Bear River, and the British Soccer Camp in Ione.
3. Sports leagues draw residents from all over the county - Men's and Women's Basketball, Coed Soccer, Coed Volleyball, Men's Softball, Youth and Adult Dodge Ball, and Adult and Youth Flag Football.
4. Classes offered last year included Fly Fishing, Wine Making, Photography, CPR/First Aid, various cooking classes, Women's Self Defense, and Zumba.
5. Youth programs include the Children's Theatre Workshop.
6. Hub Arts sponsored by the Amador Arts Council.
7. After School programs in Jackson and Plymouth
8. Santa's Workshop.
9. Bingo, recently moved from the Italian Picnic Grounds to the American Legion Hall, attracts many of our older citizens.

10. Runs the Plymouth swimming pool and managed their lifeguards during summer.
11. This summer will assist Ione by running their Swimming Pool.
12. In Jackson we are developing the Hub Youth and Community Center located in the Krabbenhof Building, above Hein & Co. Bookstore.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff, the following motion was made:

**Moved by Councilmember Garibaldi, seconded by Vice-Mayor, and carried by a 5 to 0 vote to approve accept the presentation by Carolyn Fregulia Acting Director of the Amador County Recreation Agency, regarding funding ACRA for fiscal year 2014-15 and provide direction to staff regarding placement of the funding request in the final Budget.**

**Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

**9. FY 2014-15 Budget Overview. Review and provide direction to staff.**

City Manager Daly reported the City's department heads, finance staff and the City Manager have been working together on the details for the FY 2014/15. City Budget as the City continues to work towards restoring services and maintenance of City infrastructure with a fluctuating revenue stream. Revenue estimates and expenditure estimates are in the process of being finalized and key data related to the budget preparation were discussed. The City's fiscal year runs from July 1 through June 30, and the last three months of this period is when most of the planning comes forward for the next budget year. Over the past two months this budget has taken on some unusual situations and it has many opportunities for new savings and opportunities. These include staffing changes, and significant reductions in the City's PERS rate and water bond payments. The City's department heads, finance staff and the City Manager have been working together on the details that comprise the budget as the City works with these changes and works to enhance these opportunities.

A City Budget is a complex document due to the fund based accounting that separates the General Fund from Enterprise Funds and Special Revenue Funds. The General Fund allows for the most spending discretion by the City Council and is financed by property tax, sales tax, vehicle license fees, franchise fees, building and planning fees and other miscellaneous revenue sources. Enterprise funds include the water and sewer funds, as well as other operations that generate revenue intended to be used solely for their operation. These include the parking, cemetery, recreation (pool) and Measure M fire funds. Special revenue funds include most grants and other unusual funding sources that have specific requirements that limit the expenditure of the funding.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion.

City Manager Daly noted presentation and adoption of full budget will be presented for consideration by the City Council at its regular meeting on June 23.

**10. Measure E Advisory Committee Re-Appointments.**

City Manager Daly reported following voter approval of Measure E in 2002, the City Council appointed a committee to assist with the review of funding requests submitted primarily by local organizations for use of the additional revenue generated by this tax for the purposes specified by the City Council: Tourism and business promotion, economic development, and downtown revitalization. The original committee included local business representatives, lodging owners and a City Council member. The current committee of five includes Vice Mayor Connie Gonsalves, Stan Lukowicz, Tom Peyton, Paul Molinelli Jr., and Atul Patel. The committee only meets once or twice per year to review Measure E funding requests and to provide a recommendation to the City Council. There are no term lengths associated with the seats on this committee and appointments have only been made in the past when vacancies occur. Two years ago, Councilmember Sweet voluntarily resigned from the committee, and Councilmember Connie Gonsalves was appointed as his replacement. All five current members confirmed their interest to assist the City in the review of the requests for funding this year. Appointments on this committee are discretionary by the City Council and there is no set number of committee members or qualifications to be appointed to the committee. No other changes are recommended.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff, the following motion was made:

**Moved by Councilmember Garibaldi, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to re-appointment of the existing committee members Vice Mayor Connie Gonsalves, Stan Lukowicz, Tom Peyton, Paul Molinelli Jr., and Atul Patel.**

**Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

**11. Planning Commission and Cemetery Committee – Notice of Application Period. Announce a deadline of June 18, 2014 for these advisory bodies.**

City Manager Daly reported the Planning Commission and Cemetery Committee terms are two years long and expire on June 30. Both advisory bodies have alternating years of two and three seats expiring to maintain continuity. This year, the seats of Planning Commissioners Fred Hall, Paul Molinelli Jr. and George White will expire. The Cemetery Committee terms of Warren Carleton and Walt Hoesser also expire on June 30. Each of these Commissioners and Committee members received notice that their terms are expiring and they are eligible for another term. Regardless of the interest of the incumbents, the City must open the application process to all qualified residents. It is recommended that the City accept applications for these seats until Wednesday, June 18, in order to allow time for City Council appointment at the regular meeting on June 23, 2014.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff, it was the consensus of the City Council to publicly announce that the terms of three Planning Commissioners and two Cemetery

Committee members are expiring on June 30, 2014, and the City is accepting applications for these seats until Wednesday, June 18, 2014.

**12. CLOSED SESSION**

- a. Public Employment. Title: City Inspector (Pursuant to Government Code Section 54957).
- b. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: General Employee Unit, SEIU Local 1021 (Pursuant to Government Code Section 54957.6).
- c. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Jackson Police Officers Association (Pursuant to Government Code Section 54957.6).

Vice-Mayor Gonsalves reconvened to Open Session at 9:43 p.m. and announced no reportable action taken.

Adjourn 9:44 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: June 9, 2014