

Jackson City Council
Minutes
Regular Meeting of February 22, 2016

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

Joshua Nelson, City Attorney
Mark Morton, Fire Chief
Susan Peters, City Planner
Storey Mack, Assistant City Clerk

COUNCIL MEMBERS ABSENT:
None

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Crew, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the City Council Agenda dated February 22, 2016 as presented. Motion passed with the following vote: to Approve February 22, 2015 Agenda

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

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Expenditure Report for the period of February the amount of \$113,923.93

Moved by Vice Mayor Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to approve the Consent Calendar dated February 22, 2016 as amended and except for. Motion passed with the following vote:

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

Check #4641 Department of Forestry in the amount of \$888.00 was pulled.

4. ADMINISTRATIVE REPORTS.

City Planner Peters reported she attended the Amador County Transportation Commission TAC meeting regarding pothole tax, the ¼ cent sales tax would be set aside specifically to repair Amador County roads.

5. COUNCIL REPORTS.

Councilmember Crew attended the Annual Fire Department appreciation dinner.

Mayor Sweet reported on the following:

1. Attended the CWRWQCB meeting with City Manager Daly and Chief Wastewater Plant Operator Neuschmid.
2. Met with City Inspector Michael Hooper, and should have the mathematical calculation of amount of rain draining from the downtown buildings' rooftops into the sewer rather than into the creek. This information will be provided to the RPA. Those property owners will be notified.

Councilmember Garibaldi reported on the following:

1. ACRA is working on the Park Master Plan.
2. ACRA fundraiser is being held Friday, March 4 at Thomi's banquet room.

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. Planning Commissioner Appointment.

Mayor Sweet reported this item is to appoint one Planning Commissioner to serve on a term expiring on June 30, 2016. When this vacancy occurred, a public notice was issued inviting applications for the seat and one application was received from Steve McLean.

Mayor Sweet opened the public discussion. Hearing no further comments from the public, Mayor Sweet 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 Crew , and carried by a 5 to 0 vote to appoint Steve McLean to serve on a term expiring on June 30, 2016. Motion passed with the following vote:

AYE S: Crew, Garibaldi, Gonsalves, Lewis, Sweet
NOES: None
ABSENT: None
ABSTAIN: None

7. Regional Traffic Mitigation Fee Ordinance Update.

City Planner Peters reported in 2006 Amador County along with all five cities and the Amador County Transportation Commission (ACTC) entered into a Memorandum of Understanding (MOU) for implementation of the Regional Traffic Mitigation Fee Program (RTMF). As part of the MOU renewal process, the Amador County Board of Supervisors and the ACTC Board of Directors amended the MOU to change the Oversight Committee membership from one member from each city, one county representative, and one ACTC representative to one member from each city, one County representative, and one ACTC member who is also a representative of the County.

1. Resolution No. 2016-07 is for approval of the amendment and re-execution of the MOU.
2. Resolution No. 2016-08 is for amendment of the RTMF Program based on information from the ACTC 2015 Regional Transportation Plan (RTP).
3. Resolution No. 2016-09 is for approval of the 2013/14 RTMF Program and funding options for fiscal year 2014/15.

Mayor Sweet opened the public discussion. Hearing no further comments from the public, Mayor Sweet 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 Crew, and carried by a 5 to 0 vote to approve the following:

1. **Resolution 2016-07 amending and supporting the Regional Traffic Mitigation Fee Program Memorandum of Understanding.**
2. **Resolution 2016-08 approving an amendment to the Regional traffic Mitigation Fee Program.**
3. **Resolution 2016-09 approving the Regional Traffic Mitigation Fee Program Annual Report and future funding option.**

Motion passed with the following vote:

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

8. Sutter Street Water Line Replacement Project.

City Attorney Nelson reported the City prepared a Notice of Intent to Reject Nonresponsive Bid letter dated February 18, 2016, indicating that the bid would be rejected as nonresponsive based on Campbell Construction Co.'s submission of defective bid bond omitting the signature of the principal on the bond and the notary acknowledgement for the attorney-in-fact signing on behalf of the surety on the bond. The City has broad discretion to determine responsiveness and accept a responsive bid even if there are minor irregularities or mistakes, as long as such mistakes are immaterial, but has no authority to waive errors that make the bid materially different than intended.

Mayor Sweet opened the public discussion. Hearing no further comments from the public, Mayor Sweet 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 Gonsalves, and carried by a 5 to 0 vote to approve Resolution 2016-12:

1. **Rejecting Bid Submitted by Campbell Construction Co.**
2. **Rejecting the Bid Protest Submitted by Mazingo Construction as Moot.**
3. **Accepting the Bid Submitted by and Awarding a Contract to Mazingo Construction for the Sutter Street Waterline Replacement. Motion passed with the following vote to:**

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

9. Participation in the California Home Finance Authority PACE Programs and Associate Membership in California Home Finance Authority Program.

Discussion on this item:

1. Review and adopt of Resolution 2016-10, consenting to Inclusion of Properties within the City's Incorporated Area in the California Home Financing Authority ("CHF") community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Generation, energy Efficiency, Water Conservation and Electric Vehicle charging Infrastructure Improvements and approving associate membership in CHF.
2. Review and adopt Resolution No 2016-11, consenting to Inclusion of Properties within the City's Incorporated Area in the CHF PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in CHF.

PACE Program Representatives were present to answer questions of the City Council.

Mayor Sweet opened the public discussion. Hearing no further from the public, Mayor Sweet closed the public discussion.

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

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to approve the following:

1. **Resolution 2016-10, consenting to Inclusion of Properties within the City's Incorporated Area in the California Home Financing Authority Community Facilities District No. 2014-1 to Finance Renewable Energy Generation, energy Efficiency, Water Conservation and Electric Vehicle charging Infrastructure Improvements and approving associate membership in CHF.**
2. **Resolution No 2016-11, consenting to Inclusion of Properties within the City's Incorporated Area in the CHF PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in CHF.**

Motion passed with the following vote to:

AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet
NOES: None

ABSENT: None
ABSTAIN: None

10. CLOSED SESSION

- a. Public Employee Annual Performance Evaluation: City Manager. (Pursuant to Government Code Section 54957)

11. ADJOURNMENT Adjourn 8:15 p.m.

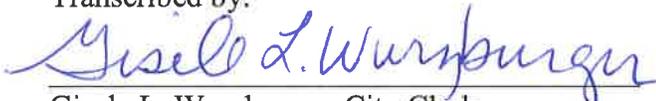
ATTEST:



Storey Mack, Assistant City Clerk

Date Approved: April 11, 2016

Transcribed by:



Gisele L. Wurzbarger, City Clerk