

**Jackson City Council**  
**Minutes**  
**Regular Meeting of June 8, 2015**

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

Michael Daly, City Manager  
Joshua Nelson, City Attorney  
Scott Morrison, Police Chief  
Mark Morton, Fire Chief  
Gisele Wurzbarger, 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 Councilmember Gonsalves, and carried by a 5 to 0 vote to approve the City Council Agenda dated June 8, 2015 as presented. Motion passed with the following vote:**

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

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

Ben & Barbara Luttring, Jackson, were present to protest the destruction of the park next to the Administrative Building at 810 Court Street with regards with the Amador County Jail Expansion Tree Removal, 700 Court Street.

City Manager Daly stated this matter was presented at the Planning Commission's April 20, 2015 meeting. He requested City Planner Peters to provide some detail on this item.

City Planner Peters reported the Amador County Jail Expansion Tree Removal, 700 Court Street was brought before the Planning Commission at their April 20, 2015 meeting. This property is owned by County and the City does not have jurisdiction on this project. As a curtesy the County submitted this item to the Planning Commission for review. Staff has been working with the County Planner on the review of the mitigated declaration and the environmental study. The grading information has been forwarded to the City Engineer. The Planning Commission approved the requested tree removal pursuant to the Development Code, Article III, and Chapter 17.40 - Landscape Standards with the following conditions:

1. All trees to be saved shall be appropriately fenced and any tree maintenance shall be performed by a qualified arborist.
2. At a minimum, the indigenous trees greater than 16 inches DBH shall be replace at a ratio of three to one. Oak trees shall be replaced with similar species of oak.

**3. CONSENT CALENDAR.**

- a. Approval of Minutes of May 26, 2015.

- b. Approval of Expenditure Report for the period of June the amount of \$ 56,055.82.
- c. Approval of Salary related items for May amount of \$ 287,934.01.
- d. Receive Jackson Fire Department Monthly Report for May 2015.
- e. Receive Building Department Monthly Report for May 2015.

**Moved by Councilmember Garibaldi, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the Consent Calendar dated June 8, 2015 except for. Motion passed with the following vote:**

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

**Mayor Crew abstained on the approval of Check 3359 in the amount of \$1,563.63.**  
**Vice-Mayor Sweet abstained on the approval of Check 3392 the amount of \$606.57.**

#### **4. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported on the following:

1. Jackson Fire Department responded to 127 calls last month, 87 medical calls, 17 public assists, 15 fire related, 2 hazardous materials, 6 traffic accidents and 36 of the calls or 28 percent were outside of the city limits for automatic aid to the AFPD. Preparing for fire season.
2. Attended the Annual Italian Benevolent Society's Parade on June 7.

City Planner reported on the following:

1. Working on the Banner and Sign Regulations enforcement.
2. Jackson Hill Rancheria Annexation application will be presented at the Planning Commission at the July 20, 2015 meeting.

City Manager Daly reported on the following:

1. Staff working on the 2015-16 Preliminary Budget.
2. Received 8 Measure E Proposal with recommendation being made in July.
3. Amador County ARTS Council's TGIF Summer Music Series starts June 12 at Detert Park.

#### **5. COUNCIL REPORTS.**

Councilmember Lewis

1. Attended the Annual Italian Benevolent Society's Parade on June 7.

Councilmember Gonsalves

1. Attended the Annual Italian Benevolent Society's Parade on June 7.
2. Amador County Tourism's evening mixer will be held Thursday, June 11.

Vice-Mayor Sweet

1. Attended the Annual Italian Benevolent Society's Parade on June 7, 2015.
2. Amador County Historic Society will hold the BBQ Lunch Sunday, June 14 at 11:30 a.m. Frank Tortorich will be the guest speaker.

Mayor Crew

1. Attended the Annual Italian Benevolent Society's Parade on June 7.

### **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. Water Rates Related to Water Conservation and the Amador Water Agency Rate Increase.**

City Manager Daly reported at the May 26, 2015 City Council meeting, a presentation was made related to the current emergency drought situation and the impact it will create on the Water Department budget. The discussion at the last City Council meeting focused on the justification for the AWA water rate increase and the impact on the City's Water Fund. Gene Mancebo, Executive Director of the Amador Water Agency has been invited to this City Council meeting to provide information about the propose AWA increase and the actions being taken to meet the current drought emergency.

Gene Mancebo, Executive Director AWA, was present to provide justification for actions being taken by the Amador Water Agency with regards the drought emergency. He reported at their May 14 Board meeting Bob Reed, Reed Group, Inc., made a presentation on proposed changes to the Agency's residential rate structure to address recent court decision on tiered rates and drought shortages and State water use reduction mandates. He reiterated continued discussions about the Water Rates will be discussed at the next AWA Board meeting. The Reed Group FY 15-16 Updated Water Shortage Analysis is on their website. He suggested the draught situation be placed on the Amador Outreach Committee agenda for periodic review.

Mayor Crew opened the public discussion. The following individuals spoke regarding the Water Rates Related to Water Conservation and the Amador Water Agency Rate Increase: Jack Georgette, Paul Molinelli Sr., Casey Emerson and Bill Orescan. Hearing no further comments from the public, Mayor Crew closed the public discussion.

City Manager Daly reported the fiscal issues are two-fold for the City. First, customers are reducing their water purchases and that reduces the revenue coming into the fund. The second impact is scheduled to occur August 1, when the Amador Water Agency increases the City's water usage charge by 34%, which is on top of a 2.5% cost of living increase that is effective July 1. The City of Jackson Water Fund is an enterprise fund that generates its revenues from water customers and pays all costs associated with the operation of the Water Department. The estimated deficit for FY 15-16 was reported to be about \$200,000. The City budgeted \$800,000 in FY 14-15 to purchase water from AWA. The projected total water purchases for FY 14-15 are now expected to be \$790,000. Reducing this amount another 20% due to conservation in FY 15-16, the pre-rate increase expense would drop to \$632,000. Adding the AWA increase for CPI (2.5%) and the water conservation surcharge of 34% would bring the total up to \$862,680. As discussed, a minimal capital improvement project budget is slated next year, so total expenditures are expected to be \$1,570,895, while revenues will drop from \$1,640,616 to \$1,455,633 due to the conservation from customers. Therefore, the anticipated deficit for FY 15-16 would be approximately \$128,000 without any change to the City of Jackson water rates, rather than the \$200,000 reported last meeting. The current reserve in the Water Fund is just over \$850,000, which includes "cash with fiscal agent" as required by the bond holders.

Due to the San Juan Capistrano court decision ruling against tiered water rates due to the Proposition 218 issue tying the charges to the cost of providing service, and the possibility that the decision could be unpublished or other legislative action taken to allow for tiers, staff continues to recommend waiting until more time is allowed for some type of action on this decision.

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

After considerable discussion among the City Council and staff, due to the uncertainty of the draught and AWA timeline it was the consensus of the City Council to defer any action tonight and to agendized this item in September for reconsideration.

**7. Memorandum of Understanding Between the Jackson Professional Firefighters Association and the City of Jackson for July 1, 2015, through June 30, 2017.**

City Manager Daly reported the City began hiring full-time Fire Department employees in 2010 following the approval of Measure M by the voters. The provided Memorandum of Understanding was modeled after those currently in effect for the police and miscellaneous employees. Changes to benefits and compensation included some additional hours of leave time for holidays and vacation (a total of six per month), a 2.5% salary increase effective July 1, 2016 (no change this year) and two longevity steps similar to the police employees. Other items that have been in place over the past few years such as uniforms, medical insurance and retirement are documented in the MOU, but no changes to the current rates are included.

Mayor Crew opened the public discussion. Casey Emerson spoke regarding Memorandum of Understanding Between the Jackson Professional Firefighters Association. Hearing no further 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 Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to approve the two year Memorandum of Understanding between the Jackson Professional Firefighters Association and the City of Jackson for July 1, 2015 through June 30, 2017. Motion passed with the following vote:**

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

**8. French Bar Road Bridge at the South Fork of Jackson Creek – Mitigated Negative Declaration for Environmental Clearance.**

City Manager Daly reported the City has received Highway Bridge Program funding through the Federal Highway Administration which is administered through Caltrans; and, therefore both NEPA and CEQA analysis was required for this project. The City of Jackson proposes to replace the French Bar Bridge (26C0035) over SFJC under the federal-aid Highway Bridge Program (HBP) over the South Fork of Jackson Creek (SFJC) with a 40 ft. long cast-in-place single span structure to improve roadway safety and comply with the American Association of State Highway and Transportation Officials (AASHTO)

guidelines. The existing French Bar Road Bridge was built in 1949. The Initial Study/Mitigated Negative Declaration was distributed for a 30 day review period with the State Clearinghouse on April 10, 2015 and a review and comment period was posted by the City between April 10, 2015 and May 11, 2015. The Initial Study/Mitigated Negative Declaration for the French Bar Road at South Fork Jackson Creek Bridge (26C0035) Replacement Project is available on the City's website and also available for review at City Hall.

Mayor Crew opened the public discussion. After considerable discussion among the City Council and staff the following motion was made:

**Moved by Vice-Mayor Sweet, seconded by Councilmember Gonsalves, and carried by a 5 to 0 vote to approve adopt Resolution 2015-15 Certifying the Initial Study/Mitigated Negative Declaration Document for the French Bar Bridge Replacement Project. Motion passed with the following vote:**

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

**9. 2014-2019 Housing Element Update for the City of Jackson General Plan and associated California Environmental Quality Act Negative Declaration.**

City Planner Peter reported in January 2015, PMC, the consultant hired, submitted a Draft 2014-2019 Joint Housing Element Update that includes a joint policy document, individual programs, and housing needs assessment, constraints, resources, and a review of the existing housing elements. In a meeting with HCD in February 2015 the City was advised of a few suggested amendments to the draft document. In March, the finalized document was provided to the Planning Commission and City Council. Additionally, in accordance with the California Environmental Quality Act, an Initial Study was prepared and notice was given to responsible agencies and interested parties that the City of Jackson intends to adopt a Negative Declaration. No comments have been received. This update outlines five joint goal statements with policies and programs that promote regional collaboration to provide affordable and fair housing. On May 18, 2015 the Planning Commission reviewed and adopted Resolution 2015-03 approving the 2014-2019 Joint Housing Element Update and associated Negative Declaration. The 2014-2019 Joint Housing Element Update may be viewed on the City's website.

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 Vice-Mayor Sweet, seconded by Councilmember Garibaldi and carried by a 5 to 0 vote to adopt Resolution-16 approving 2014-2019 Housing Element Update for the City of Jackson General Plan and associated California Environmental Quality Act Negative Declaration. Motion passed with the following vote:**

**AYE S:** Crew, Garibaldi, Gonsalves, Lewis, Sweet  
**NOES:** None

**ABSENT: None**  
**ABSTAIN: None**

#### **10. Preliminary Review of 2015-16 City Budget Issues.**

City Manager Daly provided an overview of the budget process and some of the specific policy issues related to the FY 2015-16 City Budget. At this point, numbers are still in the review process and detailed figures for each fund were not ready for the agenda packet. Information related to the current fiscal health of this year's budget as well as projections for the funding for next year's budget and other organizational issues related to the staffing of various departments were discussed. The full budget with adopting resolutions will be presented at the June 22, 2015 City Council meeting for consideration of approval. As soon as it is available, it will be provided to the City Council and published on the City's web site.

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

No action was taken.

#### **11. Wastewater Engineer Selection Ad Hoc Committee.**

City Manager Daly reported at the last City Council meeting information was presented about the Request for Qualifications (RFQ) for Wastewater Engineer and the City Council appointed individuals to assist with the selection process. At the meeting, concerns were raised regarding the public accessibility to the information and interview process. In order to ensure that the public can observe the interviews and participate in the process, the provided memo describes the committee membership and the interview structure for selecting a wastewater engineer firm. This agenda item is intended to make this information available to the public and brief the City Council on the interview process.

Mayor Crew opened the public discussion. The following individuals spoke regarding Wastewater Engineer Selection Ad Hoc Committee: Bill Orescan and Casey Emerson. Hearing no comments from the public, Mayor Crew closed the public discussion.

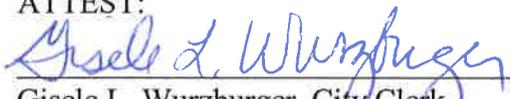
City Manager Daly stated he could provide Mr. Orescan additional information regarding the RFQ for Wastewater Engineer.

Mayor Sweet reported the Ad Hoc Committee met after the last meeting and following individuals were appointed to serve on the committee: City Manager Daly, City Engineer Ghio, Chief Wastewater Plant Operator Neuschmid, Ryan Thompto and PRA representative Bill Condrashoff. The Wastewater Engineer Interview - Ad Hoc Committee meeting will be held Monday, June 15, 2015 – 1:30 p.m. in the Civic Center and is open to the public.

#### **12. ADJOURNMENT**

Adjourn 9:13 p.m.

ATTEST:

  
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Gisele L. Wurzbarger, City Clerk

Date Approved: June 22, 2014