

**Jackson City Council**  
**Minutes**  
**Regular Meeting of May 23, 2016**

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

Michael Daly, City Manager  
Joshua Nelson, City Attorney  
Scott Morrison, Police Chief  
Mark Morton, Police Chief  
Gisele Wurzbarger, City Clerk

**COUNCIL MEMBERS ABSENT:**

Keith Sweet, Mayor

Vice-Mayor Gonsalves called the meeting to order at 7:00 p.m. Vice-Mayor Gonsalves reported Mayor Sweet was absent due to a medical procedure.

**1. APPROVAL OF AGENDA.**

**Moved by Councilmember Lewis, seconded by Councilmember Crew, and carried by a 4 to 0 vote to approve the City Council Agenda dated May 23, 2016 as presented. Motion passed with the following vote:**

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

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

Member of public stated his concern regarding the sewer rate increase. Vice-Mayor Gonsalves stated this matter was Item 7 on the agenda and no action could be taken at this time.

**3. CONSENT CALENDAR.**

- a. Approval of Minutes of May 9, 2016 meeting.
- b. Approval of Expenditure Report for the period of May the amount of \$224,559.03.
- c. Accept February 2016 Treasurer's Report and Sales Tax Report.
- d. Resolution to Approve Sutter Street Waterline Replacement Project.
- e. Special Event Permit – Argonaut High School Graduation Fireworks.

**Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote to approve the Consent Calendar dated May 23, 2016 as amended: Motion passed with the following vote:**

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

**4. ADMINISTRATIVE REPORTS.**

City Manager Daly reported on the following:

1. Caltrans is performing on-way traffic control State Route 49 May 22 through May 27 from 7:00 p.m. until 6:00 a.m.
2. Sutter Street signal construction is scheduled to begin June 6.
3. Work up at the Argonaut Dam will begin this week. Starting July 11, Argonaut Drive will likely be closed during the drilling work and other activities.

Councilmember Garibaldi requested staff provide a consolidated schedule of all paving projects to KVGC Radio.

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

Councilmember Crew reported on the following:

1. Attended the Local Area Formation Commission meeting.
2. Attended the Operation Care Fundraiser dinner.

Vice-Mayor Gonsalves reported on the following:

1. The Motherlode Cruise Car Show was held Saturday, May 21, it was a great event and thanked all of the volunteers.
2. Attended the Operation Care Fundraiser dinner and Officer Jose Arevalo was honored.

#### **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. Needs Assessment for the Amador County Recreation Agency Master Plan Update.**

City Manager Daly reported Carol Fregulia, ACRA Executive Director, was present to present a Power Point presentation regarding the draft Needs Assessment for the ACRA Master Plan Update

Carol Fregulia, ACRA Executive Director, reported the Foothill Consultants made the draft Needs Assessment for the ACRA Master Plan to the ACRA Board of Directors on Wednesday, May 11, and the Directors felt that each of member agencies would also like to see it. The draft Needs Assessment will be finalized after May 27, but up until that time the individual member agencies have an opportunity to comment on this document and can be downloaded from their website. After May 27, the Needs Assessment will be finalized, and Foothill Consultants will be able to complete the Master Plan and Nexus. The anticipated completion date for the entire project is August 31, 2016. She thanked the City Council for their continued participation in this project. She noted corrections and anything added information can be provided before the Needs Assessment is finalized.

Vice-Mayor Gonsalves opened the public discussion. Jack Georgette spoke regarding the Needs Assessment regarding dog parks. Hearing no further comment from the public, Vice-Mayor Gonsalves closed the public discussion.

No action taken.

### 7. Proposition 218 – Rate Approval for Wastewater Services.

City Manager Daly reported the City's last increase of sewer rates was back in 2009 when rates went up to the current amount of \$29.35. Since then, the City has been very involved with the State Regional Water Quality Control Board regarding issues related to its permit and the final requirements are now known. The City has been working on a wastewater rate schedule update for a number of months. An item was brought to the City Council for consideration back in March, 2016, however, the dates of the increase and the months to be used for consideration of the "low" use months for residential and commercial customers were off by one month, so the notice was revised and re-sent to all customers in the City as required by Proposition 218. The Proposition 218 letter to customers details information regarding the requested increase. As noted in March, the system has been proposed for over a year, but the rates within the schedule have changed based on input from RPA and an analysis of the City's revenue needs for the improvements that are anticipated. Also, the interest rate increased from 1.6% to 1.8% during the time required to properly determine how much would be needed for the project. The provided table was mailed to all ratepayers shows the final amounts calculated and necessary to generate the income to satisfy the Regional Board amounts necessary. The increase in the first year of the proposal is 11.2%. As of Thursday, May 19, 2016, the City had received two protests to the increase. Therefore, if the City Council accepts the information provided, a second reading of the ordinance will be on June 13, 2016, with the rates going into effect on July 1, 2016.

Vice-Mayor Gonsalves opened the public discussion. The following individual spoke regarding Ordinance 693 Rate Approval for Wastewater Services: Laura Mattley, Shirley Danjowski, and Jason Cazadd. Hearing no further comment from the public, Vice-Mayor Gonsalves 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 4 to 0 vote to approve the first reading of Ordinance No. 693, approving Wastewater Rates for July 1, 2016 through June 30, 2021. Motion passed with the following vote:**

<b>AYES:</b>	<b>Crew, Garibaldi, Gonsalves, Lewis</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Sweet</b>
<b>ABSTAIN:</b>	<b>None</b>

### 8. Ordinance to Change Water/Sewer Billing.

City Manager Daly reported for the past month, staff has presented information to the City Council regarding the current issue of requiring property owners to pay the sewer and water bills.

City Attorney Nelson explained Ordinance 694 addresses issues that would be part of requiring the owners to pay for both water and sewer. It also will address the currently proposed rate system which would go into effect if the ordinance is approved. As noted, the ordinance is for both sewer and water customers and specifies responsibility for payment of the monthly bills. It references the ability of the City to place a charge on the Amador County secured assessment roll. The ordinance does have a provision that allows the tenants in master meter locations to become individual customers when required by law or the City permits this based on the use of the property.

The City Council was provided a copy of both the recommended ordinance that makes changes to both the sewer and water sections in the Municipal Code, and the worksheet prepared by the City Attorney that shows all the additions and deletions from the Code sections. Staff will create a policy to address Property Owner notification of tenant nonpayment status.

Vice-Mayor Gonsalves opened the public discussion. Laura Mattley spoke regarding Ordinance 694 to change water/sewer billing. Hearing no further comments from the public, Vice-Mayor Gonsalves closed the public discussion.

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

**Moved by Councilmember Crew, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote to approve the first reading of Ordinance No. 694, an Ordinance amending various sections of Title 13 regarding Sewer and Water Service. Motion passed with the following vote:**

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

#### **9. Measure E Distribution Amount.**

City Manager Daly reported at the last meeting, the existing committee was re-appointed, however, an amount of funding was not specified. In 2015, a total of \$84,214 was generated from the 2% in Measure E. This was a record amount and half this funding would be \$42,107. The Request for Proposals is ready for release and will likely be due around mid to late June. The advisory committee will be meeting in the first week of July this year, with recommendations coming back to the City Council on July 11, 2016.

Vice-Mayor Gonsalves opened the public discussion. Hearing no comment from the public, Vice-Mayor Gonsalves 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 4 to 0 vote to make available \$42,107 of Measure E funds generated in 2015 for distribution. Motion passed with the following vote:**

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

#### **10. FY 2016/17 Budget Discussion.**

City Manager Daly reported the City's fiscal year runs from July 1 through June 30, so for the past few months department heads have been working out their plans for the coming year and developing the cost estimates for providing services. The City Council was provided an overview of the budget process and

some of the specific policy issues related to the FY 2016-17 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 13, 2016 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.

Vice-Mayor Gonsalves opened the public discussion. Casey Emerson spoke regarding FY 2016/17 Budget. Hearing no future comments from the public, Vice-Mayor Gonsalves closed the public discussion.

No action taken.

#### **11. Planning Commission, Cemetery Committee and Design Review Committee – Notice of Application Period.**

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 Steve McLean, Paul Molinelli, Jr. and George White will expire. The Cemetery Committee terms of Keith Davis and Walt Hoeser 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 22, in order to allow time for City Council appointment at the regular meeting on June 27, 2016.

Vice-Mayor Gonsalves opened the public discussion. Hearing no comments from the public, Vice-Mayor Gonsalves closed the public discussion.

No action taken.

#### **12. CLOSED SESSION**

- a. Conference with Real Property Negotiator. (Pursuant to Government Code Section 54956.8). Parking Lot across from 240 N. Main Street, Jackson, APNs 020-191-004 and 020-191-005, Chaquica and Rodgers Family Trusts. Agency Negotiator: Michael Daly, City Manager.
- b. Public Employee Annual Performance Evaluation: City Manager. (Pursuant to Government Code Section 54957)

#### **13. ADJOURNMENT**

Councilmember Crew reconvened to Open Session at 8:28 p.m. and announced no reportable action taken.

Adjourn 8:29 p.m.

ATTEST:

  
Gisele L. Wurzbarger, City Clerk

Date Approved: June 13, 2016