

Jackson City Council
Minutes
Regular Meeting of September 23, 2013

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

Michael Daly, City Manager
City Attorney Andrew Morrison
Attorney Joshua Nelson
Scott Morrison, Police Chief
Mark Morton, Fire Chief
Susan Peters, City Planner
Larry White, Senior Building Inspector
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:
Marilyn Lewis

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

1. APPROVAL OF AGENDA.

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote (Councilmember Lewis was absent) to approve the City Council Agenda dated September 23, 2013 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Minutes of September 9, 2013 meeting.
- b. Approval of Expenditure Report for the period of September the amount of \$167,715.778.

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Sweet, and carried by a 4 to 0 vote (Councilmember Lewis was absent) to approve the Consent Calendar as presented.

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported on the following:

1. The ISO rating review is scheduled for October 7, the current rate is 5.2 and the last review was prior to the purchase of the new engines and employment of full time staff.
2. The department donated \$1,050.82 to the Amador STARS raised by the sale of 108 pink t-shirts that bear a modified department logo interlaced with the Fight Breast Cancer pink ribbon. The department will be wearing the shirts throughout the month of October.

Police Chief Morrison reported Officer Del Rio arrested a suspect regarding recent burglary on Pine Street.

City Planner Peters reported she attended the LAFCO meeting on September 19, 2013, the updated Sphere of Influence (SOI) map for the City of Jackson. The item was continued to October 17 for additional information to be developed.

City Manager Daly reported on the following:

1. Caltrans Supplement Grant for Sutter Street Intersection might be pushed back.

2. Smith and Newell the City's auditors performed the 2012-2013 Annual Audit last week and final reports submitted by the first of the year.
3. The City's Banking Request for Proposals closed on August 22 and we received four Banking Proposals. Staff will be reviewing the proposal and the award will be submitted at the October 15 meeting with implementation in January 2014.
4. Applications for the Maintenance Worker I position are open until Thursday, September 26 by 5:00 p.m. or until 75 applicants has been submitted.
5. Applications for the Sexton position are open until Thursday, September 26 by 5:00 p.m.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported on the following:

1. Attended the Amador County Recreation Agency meeting.
2. Attended the Amador County Tourism mixer.
3. Attended the Amador County Chamber meeting.
4. Attended the Amador Community Foundation luncheon.

Vice-Mayor Gonsalves reported she attended the Amador County Tourism mixer.

Councilmember Sweet reported the he would be attending the Amador County Transportation Commission meeting Thursday, October 3 at 9:00 a.m.

Mayor Crew reported on the following:

1. Attended the Amador County Tourism mixer.
2. Attended the Local Agency Formation Commission meeting.

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. Building Inspection Services Agreement with Sutter Creek.

City Manager Daly reported the City of Jackson and Sutter Creek have traditionally cooperated to provide many services. Over the past year, the City's Senior Building Inspector, Larry White, has provided building inspection services to Sutter Creek on an as-needed basis following the retirement of the Jeff Kelly, the long-time building inspector in Sutter Creek.

Shortly after Mr. Kelly retired around July 1, 2012, the City of Jackson's inspector provided inspection services on an informal basis while Sutter Creek weighed its options. It became clear that after a few months of this arrangement, that the need for services was greater than what could be provided on a non- contractual basis... As a result, the City of Sutter Creek opted to contract with Amador County for building inspection services. Unfortunately, the contractual arrangement between Sutter Creek and Amador County did not work out. As a result, the City Manager of Sutter Creek approached Mr. White and the Jackson City Manager in August about the possibility of contracting for services in a similar fashion to the arrangement with the County. At this time, it does appear feasible.

It would be anticipated that inspections in Sutter Creek would take place on Tuesday and Thursday afternoons. The Jackson City Inspector has a good line of communication with the Sutter Creek inspection coordinator and the process for inspections has gone smoothly. If the same compensation

percentages are used, which is common amongst cities contracting for building inspection services, it is anticipated that the City of Jackson would receive at least \$20,000 per year based on the level of inspection work performed last year on a less formal basis. In addition, Sutter Creek has expressed a willingness to assist with annual training costs for this position, and may be interested in using Jackson for code enforcement work that would be compensated on an hourly basis. The only trade-off for the increased revenue is the potential lack of availability of an inspector in Jackson during certain times of the week.

The City's Building and Engineering Departments have been reduced from three employees to one employee over the past five years. The City is fortunate that Mr. White understands the critical nature of both the technical necessities of this position, and the public relations aspect of this work as well. This has provided for a positive construction environment in Jackson and it would be expected to continue in this manner.

With the additional responsibility of serving Sutter Creek, it is recommended that the City also adjust the compensation of the City Inspector to reflect the additional duties involved with this work. The additional revenue coming from Sutter Creek will make this possible, and it is recommended that the salary range of this position be increased by \$800 per month to reflect these duties, plus the additional work in the public works area that this position has also assumed following the department reductions. In addition, the contract with the City of Sutter Creek will contain appropriate termination language to allow the City to pull out of the agreement if necessary. The City Attorney approved the conceptual contract with a couple of minor changes.

The City of Sutter Creek took action to cancel the contract with the County at its meeting on September 16, 2013, so it is anticipated that the contractual work with Jackson could begin as soon as October 1, 2013, if this arrangement is acceptable to the City Council.

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 Sweet, and carried by a 4 to 0 vote (Councilmember Lewis was absent) to approve the concept of contracting with the City of Sutter Creek to provide building inspection services and authorize the City Manager to enter into an agreement with the City of Sutter Creek and adjust the compensation of the City Inspector position to reflect these new duties and revenues.

7. Wastewater Planning Update.

City Manager Daly reported as previously noted at City Council meetings in July and August, the City has received notice from the Regional Water Quality Control Board that the State Department of Public Health (DPH) has modified its policy in relation to the City's discharge of treated wastewater effluent into Jackson Creek. With a Jackson Valley Irrigation District project to bring potable water to its customers at Lake Amador and throughout its distribution system in progress, the DPH staff informed the Regional Board that the 20:1 dilution in Lake Amador was no longer critical.

This information was received in late May by the City of Jackson and is concurrent with a new NPDES discharge permit being worked on by the Regional Board. The impact of this policy change was reviewed at previous City Council meetings and the consensus of the City Council was to pursue a project that will continue discharging treated effluent into Jackson Creek all year around rather than

construction of a system to pump treated wastewater to adjacent agricultural lands and irrigate pastureland during the drier summer months.

In the September 13, 2013, edition of the Ledger-Dispatch, a representative from one of JVID's water customers at the Oaks Community Mobile Home Park wrote a "guest commentary" objecting to the City's plans to continue discharging treated effluent into Jackson Creek. The writer was unaware of the communication between DPH and the Regional Board relating to the dilution issue. A separate letter was sent by the Oaks Community to the Regional Board and DPH highlighting this issue, and the options for the City's discharge are still under review.

To assist the Regional Board identify the key issues related to the City's discharge and the public health issues of water users downstream, the City requested Stantec Engineering to draft a letter for signature describing the City's understanding of the current situation, as well as wastewater treatment options available to the City in the upcoming NPDES permit. A copy of this letter was provided. The Regional Board staff was scheduled to have a high level staff meeting on Friday, September 20, to review the City's NPDES permit requirements, as well as the coordination of other projects previously mandated to resolve Administrative Civil Liability penalties accrued with water quality violations in past years.

It is expected that over the next three months, several key issues will be decided that have been under discussion for a number of years. This includes the City's wastewater discharge method and also, a more refined cost estimate of the improvements that will be necessary to estimate the rate needs over the next few years. The City is continuing to pursue grants and low-interest loans from both the State Revolving Loan Fund and the USDA Rural Development program.

As much as the City has done to keep engineering costs as low as possible, the latest change in the NPDES discussion and other work necessary to protect the City's interest in keeping the treated effluent discharge in Jackson Creek have required additional work by Stantec. The provided letter describes the additional work and the proposed amendment with Stantec Engineering to assist with permit compliance issues.

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 Gonsalves, and carried by a 4 to 0 vote (Councilmember Lewis was absent) to approve an amendment in the amount \$40,000 with Stantec Engineering to assist with permit compliance issues.

8. Review of Sphere of Influence Discussion at LAFCO meeting on September 19, 2013.

Vice-Mayor Gonsalves stepped down from the dais for a conflict of interest. City Attorney Morris stated even though this item requires no action Vice-Mayor Gonsalves should step down from the dais.

City Manager Daly reported at the LAFCO meeting on September 19, 2013, the updated Sphere of Influence (SOI) map for the City of Jackson was presented to the LAFCO Board of Directors. The item was continued to October 17 for additional information to be developed.

City Planner Peters reported the Sphere of Influence (SOI) presented to the LAFCO Board was the map approved by the City Council in April 2013. It included adding to the City's SOI in the area to the north of city limits, and eliminating some SOI areas to the east and northeast. Originally, it was recommended by LAFCO staff and the planners for the City of Jackson and Amador County to remove

the area where Jackson Hills LLC had submitted a subdivision application, as well as some adjacent properties, but the property owner indicated there is still an interest in possible development of this area and the removal of the SOI in this area was amended to eliminate the proposed removal.

Mayor Crew is one of the five members on this Board, along with Supervisors Ted Novelli and Louis Boitano, Councilmember Tim Knox from Amador City as the other city representative, and Jim Vinciguerra as a public member-at-large representative.

At the September 19 meeting, LAFCO continued the item to obtain additional information prior to making a decision. One of the main pieces of information requested by the Board was a map of the proposed SOI area that shows all of the property owners, and to ensure that copies of the maps were available for public review prior to the meeting and at the meeting.

As in the past, one of the key issues discussed by the Board was property owner concurrence with the proposed action. City staff emphasized that the SOI is a planning tool to determine whether infrastructure and other public services would be more efficiently provided by the City of Jackson to all property owners, or whether the current arrangement is more suitable.

City Manager Daly reported the Commission requested the map of the proposed SOI area shows all of the property owners, and to ensure that copies of the maps were available for public review prior to the meeting and at the meeting. Staff will be working with LAFCO Executive Officer Roseanne Chamberlain and Amador County Transportation Commission on this mapping as the City's GIS system is out dated. He reiterated the item was continued to October 17 for additional information to be developed.

Mayor Crew opened the public discussion. Hearing no comments from the public, Mayor Crew closed the public discussion. No action was taken.

Vice-Mayor Gonsalves returned to the dais.

9. CLOSED SESSION

- a. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Jackson Police Officers Association (Pursuant to Government Code Section 54957.6).
- b. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Unrepresented Employees (Pursuant to Government Code Section 54957.6).
- c. Public Employment. Title: City Attorney.

Vice-Mayor Gonsalves reconvened to Open Session at 8:15 p.m. and announced reportable action taken.

9. Adjournment:

Adjourn 8:16 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: October 15, 2013