

Jackson City Council
Minutes
Regular Meeting of July 22, 2013

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

Michael Daly, City Manager
Andrew Morris, City Attorney
Scott Morrison, Police Chief
Mark Morton, Fire Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:
Marilyn Lewis

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

1. CEREMONIAL.

- a. Proclamation Honoring Charline Buckley for outstanding service as the City's Cemetery Sexton.
- b. Introduction and Swearing-In of New Employee Police Officer Austin Reilly. City Clerk Cangelosi swore in Police Officer Reilly.

2. APPROVAL OF AGENDA.

**Moved by Councilmember Sweet and seconded by Vice-Mayor Gonsalves, and
unanimously carried to approve the City Council Agenda dated July 22, 2013 as
presented.**

3. PUBLIC MATTERS NOT ON THE AGENDA.

None.

4. CONSENT CALENDAR.

- a. Approval of Minutes of June 24, 2013 and July 8, 2013 meetings.
- b. Approval of Expenditure Report for the period of July the amount of \$174,024.07.
- c. Accept May 2013 Treasurer's Report and Sales Tax Report.
- d. Receive Jackson Building Department Monthly Report for June 2013.
- e. Approval of Claim for Damage - Clark.
- f. Notice of Completion – Stasal Avenue Water Line Improvement Project.
- g. Notice of Completion – Vista Point Improvement Project.
- h. Notice of Completion – Court Street Reconstruction Project.

**Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and
unanimously carried to approve carried to approve the Consent Calendar as amended.**

Mayor Crew abstained on the approval of Check 237887 in the amount of \$878.13.

5. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported on the following:

1. Jackson Fire Department June 2013 report provided the following information: The department responded to 114 calls last month, 90 medical calls, 2 public assists, 11 fire related, 2 hazardous

materials, 8 traffic accidents and 16 of the calls or 14 percent were outside of the city limits for automatic aid to the AFPD.

2. Assisted at the Jackson Lions Club Fireworks Show, July 3, 2012.

City Manager Daly reported on the following:

1. The Jackson Lions Club Fireworks Show, July 3, 2012 was great.
2. Request for Proposals for Banking Services has been sent out with bids and proposal to be submitted on August 22, 2013 by 4:00 p.m. and awarded by early October.

5. COUNCIL REPORTS.

There were no Council reports.

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.

7. Review of City's Wastewater Project Options.

City Manager Daly reported tonight's action was that the City Council review this report and the provided document prepared by Stantec related to possible onsite improvements for continued effluent discharge to Jackson Creek and authorize the City Manager to send a letter to the Regional Water Quality Control Board reflecting the preferred project of the City of Jackson. The following background to this project was provided.

For many years the City of Jackson has been reviewing options for discharging treated wastewater effluent. The City owns and operates its own wastewater treatment plant approximately .75 miles west of the Busi Parking Lot. The current plant was reconfigured in the mid- 1980s and continues to produce high quality wastewater effluent. Concerns raised about the water quality in Jackson Creek and Lake Amador have required the City to conduct extensive research into the potential effect of discharging into the creek. Since Jackson Creek is considered "waters of the United States" the City is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge treated effluent into the creek.

The NPDES permit issued to the City in 2007 required implementation of a plan to ensure that the City's effluent would never exceed 5% of the volume of Lake Amador. This requirement was recommended by the California Department of Public Health (DPH) to protect the potable water supplied by the Jackson Valley Irrigation District from Lake Amador. An Environmental Impact Report was recently completed evaluating the City's best apparent options, with the best option determined to be irrigating nearby pastureland with the effluent during dry months of the year. An NPDES permit typically has a five year limit and the 2007 permit was scheduled to expire in October 2012. It was extended shortly before its expiration in order to allow the Regional Board staff to review the City's discharge system and determine appropriate permit conditions based on current information, including the City's Time Schedule Order related to projects being undertaken to improve treatment capability to meet more stringent water quality requirements.

In May 2013, the City received information from the Regional Board that it had been in contact with DPH in relation to water source improvement projects being undertaken by the Jackson Valley Irrigation District. These projects are bringing water from Lake Pardee to the water treatment facilities owned by NID to improve the water quality provided to its customers. Phase I is now complete and

another phase is in the works. Due to the change of water source for NID, the Department of Public Health has determined that a 20: 1 dilution ratio of lake water to City effluent water is no longer a critical requirement. Given this change, the Regional Board contacted the City in May, 2013, and noted that this may allow the City to change its compliance project in the new NPDES permit scheduled to be adopted by the Regional Board later this year. Upon receiving this information, City staff requested Stantec Engineers to prepare an analysis of the potential impact of the DPH determination on the City's option for meeting future water quality requirements. The previous focus on a land discharge system was based not only on the 20: 1 dilution ratio at Lake Amador, but also on the difficulties the current treatment plant has meeting water quality requirements. In order to continue discharging into Jackson Creek, the water quality requirements will still need to be met, just not the 20: 1 dilution requirement. The initial review of the City's options for keeping all treated effluent in the creek concludes that the cost is very similar to an off-site pasture irrigation system, both construction and operation, however, the ability to meet water quality requirements all year is improved with a focus on improvements at the wastewater treatment plant.

Dave Price, Stantec Consulting Services Inc. was present to discuss the provided report regarding the Onsite Improvements for Continued Effluent Discharge to Jackson Creek which summarizes the improvements needed at the City of Jackson wastewater treatment plant in the event that the City chooses to continue its historical practice of discharging effluent to Jackson Creek on a year-round basis. This effluent disposal practice was determined to be unacceptable by the California Regional Water Quality Control Board (Regional Water Board) and California Department of Public Health (DPH) in 2007 (aka, 2007 Determination). However, based on new information the Regional Water Board and DPH have concluded jointly in 2013 (aka, 2013 Conclusion) that the City's historical practice of discharging effluent to Jackson Creek on a year-round basis may be continued indefinitely as long as effluent quality produced by the WWTP is improved to protect public health and the environment. This report describes WWTP improvements needed to continue year-round effluent discharges to Jackson Creek, provides an opinion of probable costs to make the needed improvements, and compares these costs to the costs of the City's best apparent effluent disposal plan developed over the past 6 years to comply with the 2007 Determination.

Based on the Regional Water Board and DPH 2007 Determination and 2013 Conclusion, the City has two viable effluent disposal options covered by the City's 2013 Environmental Impact Report on possible modifications and improvements to the WWTP:

- Option 1 The best apparent plan based on the 2007 Determination and the past 6 years of City planning and analyses prior to the 2013 Conclusion: Apply dry season effluent to land rather than discharge it to Jackson Creek. Improvements needed and the cost to implement Option 1 - Land Application of Dry Season Effluent has been described in previous reports and is summarized in Table 6-1 of this report. With Option 1, Jackson Creek will dry up from time to time in late summer with consequential adverse impacts on aquatic life in Jackson Creek.
- Option 2 Continuation of historical City effluent disposal practices based on the 2013 Conclusion: Discharge effluent to Jackson Creek on a year-round basis. Improvements needed and the cost to implement Option 2 - Year-Round Effluent Discharge to Jackson Creek) are summarized in Table 6-2 of this report, and are based on refinement of previous analyses prepared when Option 2 warranted no more than cursory conceptual development because it was unacceptable to the State of California under the 2007 Determination.

The report summarizes the results of analyses of Option 2 improvements and costs that are comparable in detail and refinement to improvements and costs developed previously for Option 1. It presents an

“apples to apples” comparison of probable costs for Options 1 and 2. The complete report was provided and posted on the City’s website. Stantec Consulting Services Inc. recommends Option 2 as described in the content of the full project - continuation of historical City effluent disposal practices based on the 2013 Conclusion.

City Manager reiterated the Regional Water Quality Control Board was drafting the City’s next permit with the assumption that Option 2 was the preferred project of the City of Jackson. The action required was that the Council authorizes the City Manager to send a letter to the Regional Water Quality Control Board reflecting the preferred project of the City of Jackson.

Mayor Crew opened the public discussion. The following individuals provided comments regarding the review of City’s Wastewater Project Options: Thornton Consolo and John Plasse. Hearing no comments from the public, Mayor Crew closed the public discussion.

Councilmember Sweet agreed with Stantec recommendation and inquired if there was a problem if authorization of the letter to Regional Water Quality Control Board reflecting the preferred project of the City of Jackson was delayed until the next Council meeting.

City Manager Daly stated Regional Water Quality Control Board was aware this item was on tonight’s agenda for consideration. He noted the next City Council meeting would be in 3 weeks and the Regional Water Quality Control Board was trying to finalize our permit and if necessary a special meeting could be scheduled.

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

Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and unanimously carried to schedule a public hearing for the purpose of transparency to go over the cost associated with the City’s Wastewater Project Options in depth.

8. CLOSED SESSION

- a. 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).
- b. 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 8:52 p.m. and announced reportable action taken

9. Adjournment:

Adjourn 8: 53 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved:

August 12, 2013