

Jackson City Council
Minutes
Regular Meeting of January 9, 2012

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

Michael Daly, City Manager
Marc Crain, New Fire Chief
Scott Morrison, Police Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

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

Mayor Crew presented John Gonsalves a Certificate of Appreciation for serving as the City of Jackson's representative on the Kennedy Mine Foundation Board of Directors. John Gonsalves stated it was a pleasure and an honor to service as the City's representative on the Kennedy Mine Foundation Board of Directors.

Mayor Crew presented Connie Gonsalves with a plaque and gavel commending her for three years of dedicated service as the Mayor on the Jackson City Council. Connie Gonsalves stated she was honored to serve as Mayor on the Jackson City Council for the last three years.

1. APPROVAL OF AGENDA.

**Moved by Councilmember Lewis and seconded by Vice-Mayor Gonsalves, and
unanimously carried to approve the City Council Agenda dated January 9, 2012 as
presented.**

2. PUBLIC MATTERS NOT ON THE AGENDA.

Thornton Consolo, Jackson, commended Councilmember Sweet for his efforts on the McDonalds Design Appeal. Councilmember Sweet thanked Mr. Consolo on behalf of the 12 appellants.

Jesse Larson, ACRA, was present to invite the City Council and public to the ACRA Spaghetti Feed to be held Thursday, January 26 at the Jackson Civic Center. All proceeds from this event will benefit ACRA's after school program.

3. CONSENT CALENDAR.

- a. Approval of Expenditure Report for January in the amount of 293,482.13.
- b. Approval of Expenditure Report for January in the amount of \$142,612.51.
- c. Approval of Salary related items for October the amount of \$265,050.62.
- d. Receive Jackson Police Department Monthly Report for December 2011.
- e. Receive Jackson Fire Department Monthly Report for December 2011.
- f. Receive Building Department Monthly Report for December 2011.
- g. Adopt Resolution Approving City's Investment Policy for 2012.
- h. Receive and File Off-Sale General Alcoholic Beverage License, Grocery Outlet, 9 South Highway 49/88 (former Safeway location).

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves, and unanimously carried to approve as presented.

4. ADMINISTRATIVE REPORTS.

Fire Chief Crain also reported on the following:

1. The Department responded to 113 calls last month, 87 medical calls, 10 public assists, 9 fire related, 0 hazardous materials, 7 traffic accidents and 30 of the calls or 27 percent were outside of the city limits for automatic aid to the AFPD. Discuss in more detail next meeting.
2. The department will be painting over the mural on the facing wall on Highway 49/88 at Station #1 in the near future.

Police Chief Morrison reported the Department responded to 615 calls for service last month. The department took delivery of the emergency generator obtained with the OES Homeland Security Grant funds. The left over funds will be used for the installation of the unit.

City Manager Daly reported on the following:

1. Working with Senator Gaines and Assemblywoman Hubner office to clean-up the Property Tax Shortfall for the Triple Flip/VLF Swap Programs enacted by the State. Staff will be attending the hearing regarding Assembly Bill 1191 Wednesday this week.
2. PG&E has installed 36 LED streetlights in several locations which were funded by the EECBG grant. It is estimated there will be an \$800 savings this year.
3. Two of the three Sign Ordinance Update workshops have been held. The last workshop will be held at City Hall Tuesday, January 10 at 9:00 p.m. Staff plans to have an item on the next agenda to review the workshops, the comments and set a course of action.
4. Jackson Revitalization Committee meeting will be held Thursday, January 12.
5. Presentation of the annual Audit Reports for Fiscal Year 2010 -2011 will be presented at the next City Council meeting.
6. Draft Environmental Impact Report for the Wastewater Treatment Plant Effluent Change of Discharge Project is still in progress and should be out for comment in early February.

5. COUNCIL REPORTS.

Vice-Mayor Gonsalves will be attending the Jackson Revitalization Committee meeting.

Councilmember Lewis attended the Central Sierra Resource Conservation & Development meeting.

Councilmember Garibaldi will be attending the Amador County Recreation Agency meeting this week.

Councilmember Sweet reported on the following:

1. Attended the ACTC meeting.
2. Assisted ACTC with the consultant interviews for the Jackson Circulation Improvement Program.

Mayor Crew reported will be attending the LAFCO meeting next week.

DISCUSSION CALENDAR.

- 6. Mutual Aid Agreement for Fire Services with the Jackson Rancheria Band of Miwuk Indians.**

City Manager Daly reported this agreement serve to provide mutual fire and rescue response between the City of Jackson and the Jackson Rancheria.

Fire Chief Caine reported the agreement will enhance the ability of both the City and the Rancheria to provide a higher level of response to emergencies that occur within the Rancheria and the Jackson City Fire Department. Mutual Aid Agreements foster relationships that lead to joint training, information sharing and joint operational exercises that are invaluable in the successful outcome of a joint response to emergencies. The format and general information in the agreement was modeled after similar document between the Rancheria and the Amador Fire Protection District .Both the Mutual Aid Agreement and the Limited Waiver of Sovereign Immunity Addendum have been reviewed and approved by the City Attorney.

Jason Zysman, Jackson Rancheria Fire Department, stated the Rancheria looks forward to extending these services with Jackson and being a good neighbor.

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves and unanimously carried to authorize the Mayor to sign the Mutual Aid Agreement and related documents for fire and rescue response with the Jackson Rancheria Band of Miwuk Indians.

7. Request for Extension of Approved Housing Equivalent Units (HEUs) for 2012 for Previous Subdivision Applicants.

City Manager Daly reported to be consistent with the Resource Constraints and Priority Allocation Ordinance, the City Council should review the provided Housing Equivalent Unit (HEU) allocation extension requests and consider adoption of Resolution No. 2012-02 approving a one year extension of the HEU allocation for the Fuller Family Partnership, Shealor Trust Property and St. Patrick's Church.

He explained Jeanine Crew and John Gonsalves both work for St. Patrick's Church therefor Mayor Crew and Vice-Mayor Gonsalves will recuse themselves during the discussion and action on this item. He verified the action on this item with the City Attorney and he concurred this was the correct action.

The Resource Constraints and Priority Allocation Ordinance requires that projects which have received an HEU allocation submit an application to the Planning Department by the end of the year within which the allocation was received and further requires the project to receive necessary entitlements within the following year. Per Section 17.91.080(D) of the Resource Constraints and Priority Allocation Ordinance the City Council may, at its discretion, extend the deadline for utilization of the HEUs. The only requirement of the City Council in extending the HEUs is to make an appropriate finding justifying the extension. The poor economic climate would be an appropriate finding. There are three projects which have not utilized their HEU allocation:

1. Shealor Trust Property located on Jackson Gate Road received 26 HEUs in 2005. The Planning Department received a Tentative Parcel Map application in December 2005 which has not been deemed complete due to pending environmental studies.
2. Reynen & Bardis received 20 HEUs in 2007 for the property located on the north side of French Bar Road. In 2009 when Reynen & Bardis dropped their option on the property, the Fuller Family Partnership requested and received an extension for the 20 HEUs previously granted to Reynen & Bardis. Later in 2009 the Planning Commission granted an additional 80 units to the Fuller Family Partnership bringing the total HEUs to 100. The Planning Department has not yet received an application for a project at this site.

3. St. Patrick's Church received 86 HEUs in 2007 for the St. Patrick Green project located on the east side of New York Ranch Road. An application was submitted to the Planning Department in December 2007 but has not been forwarded to the Planning Commission pending preparation of an Environmental Impact Report.

Mayor Crew opened the public discussion. The following individuals spoke against the applicant's request for extension of approved Housing Equivalent Units (HEUs) for 2012: Jack Georgette, Judy Jebian, Thornton Consolo and Rosalie Escamilla. 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 Garibaldi and seconded by Councilmember Lewis, and unanimously carried to approve a one-year extension with no other extension to be allowed of the Housing Equivalent Unit allocations for the Shealor Trust (26) and the Fuller Family Partnership (100).

Mayor Crew and Vice-Mayor Gonsalves recused themselves from the St. Patrick Church discussion due to a conflict of interest.

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

Moved by Councilmember Garibaldi and seconded by Councilmember Lewis, and carried by a 3 to 2 vote (Mayor Crew and Vice-Mayor Gonsalves abstained) to approve a one-year extension with no other extension to be allowed of the Housing Equivalent Unit allocations for the St. Patrick's Church (86).

Mayor Crew and Vice-Mayor Gonsalves return to the dais.

8. Support for Revised East Bay Municipal Utilities District (EBMUD) Water Supply Management Program 2040.

Councilmember Sweet reported in March of 2009 and again in July of 2011, the Jackson City Council took a proactive position against East Bay Municipal Utility District's decision to include the raising of the Pardee Dam and the subsequent inundation of the Middle Bar portion of the Mokelumne River in their 0240 Water Supply Management Program. Their recent decision to withdraw that plan of action as an option in the 2040 Plan is to be commended and he requested concurrence of the City Council to send EBMUD a letter indicating our appreciation of their recent action.

Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and unanimously carried to authorize the Mayor to sign letter of support for Revised East Bay Municipal Utilities District (EBMUD) Water Supply Management Program 2040.

9. Kennedy Mine Foundation Board of Directors Vacancy.

City Manager Daly reported the bylaws of the Kennedy Mine Foundation designate one of their Board of Director seats as a representative appointed by the City of Jackson. John Gonsalves has held this seat for two years for the City and although his service will be greatly missed, he has decided to resign from this position due to other time commitments. It is recommend that the City Council discuss options for filling this vacancy and make an appointment either at this meeting or a future meeting.

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

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves, and unanimously carried to appoint Councilmember Sweet as the City of Jackson representative seat on the Kennedy Foundation Board of Directors and consider appointment of a replacement.

10. City Council Committee Assignments.

Mayor Crew reported each year the Mayor reviews appointments and makes assignments to the numerous committees and liaison roles required of City Council members. The City Council was provided a copy the roster of all assignments detailing the current appointed members and meeting times of the various committees and organizations.

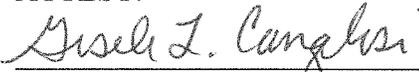
After considerable discussion the Council Committee assignments it was consensus of the City Council to keep the same City Council Committee Assignments roster.

Councilmember Sweet reported the discussion and possible action relative to appeal for the Martell McDonalds is on the Board of Supervisors agenda Tuesday, January 10 at 9:30 a.m.

ADJOURNMENT.

Adjourn: 8: 28 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: January 23, 2012