

Jackson City Council  
Minutes  
Regular Meeting of January 28, 2013

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

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

**COUNCIL MEMBERS ABSENT:**  
Marilyn Lewis

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**1. CEREMONIAL.**

**Presentation of Jackson Rotary Bowl-A-Thon funds to “City Slickers” by Jim Wilmarth.**

Mayor Crew presented City Manager Daly with a check in the amount of \$1,611.44 raised from the Jackson Rotary Bowl-A-Thon by the “City Slickers”.

City Manager Daly presented Dennis or Adam Dalton, Jackson Rancheria, a check from the City Slickers Bowl-A-Thon funds to Jackson Rancheria Park Restoration Project in the amount \$1,611.44.

**2. APPROVAL OF AGENDA.**

**Moved by Vice-Mayor Gonsalves, and seconded by Councilmember Sweet, and unanimously carried to approve the City Council Agenda dated January 28, 2013 as presented.**

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

None.

**4. CONSENT CALENDAR.**

- a. Approval of Minutes of November 13, 2013.
- b. Approval of Expenditure Report for November in the amount of \$113,933.09.

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

**5. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported on the following:

1. The Department responded to a fire last Monday on Center Street, the call out response time to the fire was 4 to 5 minutes with 18 minutes to knockdown. The recent fire training on Court Street was really helped during this response.
2. Total of 7 new volunteers signed up this month and will be in training together.

Police Chief Morrison reported on the following:

1. The Department will be recognizing Officer Ortega for sexual assault case that is finely being presented to the District Attorney.

2. The Department will be recognizing Adrian Santa Cruz for his rescue last week of a toddler on Highway 88.

City Manager Daly reported on the following:

1. Certification of the Final Environmental Impact Report for the City of Jackson Wastewater Treatment Plant Improvement Project will be presented at the Feb 11th meeting.
2. Met with Vice-Mayor Gonsalves and Mark Rasmussen regarding solar lighting downtown.
3. Mid-Year Budget review will be discussed in the near future.

## 6. COUNCIL REPORTS.

Councilmember Garibaldi reported he attended the ACRA Spaghetti Feed.

Councilmember Sweet attended the Historic Society Dinner which raised about \$4,000.

Mayor Crew reported on the following:

1. Attended the Air Quality Control Board meeting.
2. Attended the annual JBCA membership meeting held at Rosebuds.
3. Attended the Mayor Selection Committee 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.

### 8. Special Event Application Submitted by AmadorArts – “Jazzin’ It Up in Jackson,” Saturday, June 22, 2013.

City Manager Daly reported this event features live music, art displays, wine tasting, beer garden and a variety of food vendors. The event is scheduled to take place on Saturday, June 22 from 6:00 p.m. to 9:00 p.m. The organization is proposing to close Main Street from California Street to the north prolongation of the Wells Fargo Bank parking lot at Main Street. Wells Fargo Bank parking lot will be open to through traffic. This will be the first time the street will be closed for this event.

The live music is proposed to consist of three bands playing simultaneously at different locations on the street. Various works of art will be on display at the Jackson Business and Community Association office. Wine tasting will occur within merchant shops on Main Street. AmadorArts will be selling special wine tasting glasses which are intended to raise funds for the organization.

Per the Department of Alcoholic Beverage Control, signs shall be placed at each and every border of this event stating: "No Open or Consumption of Alcoholic Beverages Beyond This Point." The Amador County Arts Council shall have volunteer monitors to observe compliance to this order.

The Police Department shall provide foot patrol for this event. The officers will not be located at fixed locations nor will they be assisting with checking of identifications of those intending to consume alcoholic beverages (Per State Statute). The Police Department has not experienced any negative impacts from this event and in fact, has received only positive feedback from the community.

DeDe Doran AmadorArts, was present to answer questions of the City Council.

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

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi, and unanimously carried to approve the special event application submitted by the Amador County Arts Council for "Jazzin' It Up In Jackson." on Main Street in Jackson for Saturday, June 22, 2013.**

#### **9. Annual Review of the Resource Constraints and Priority Allocation Policy.**

City Manager Daly reported in December 2004 the City Council adopted the Resource Constraints and Priority Allocation Policy per the Planning Commission's recommendation. The policy is the City's growth management program designed to control growth at a rate that can be supported by the infrastructure and service demand created by new housing units. A copy of the ordinance was provided for review. Since its adoption the Planning Commission and City Council implemented the ordinance by establishing annual Housing Equivalent Units (HEUs) as follows:

- 2005 116 HEUs- Three developments, Stonecreek, Jackson Hills and the Shealor Trust Property, received the HUE allocations.
- 2006 zero HEUs- This was due to the uncertainty regarding the disposition of the discharge permit for the City's wastewater treatment plant, questions about will serve letters from the Amador Water Agency due to the transmission project litigation, and the lack of community consensus regarding transportation improvement options. Subsequently, no Notices of intent to Develop were accepted.
- 2007 106 HEUs- This was based on the remaining sewer capacity of 318 HEUs divided by the three years the Council believed it may take to address the sewer constraint issue. On May 29, 2007 the City Council reviewed the Notices of intent to Develop and awarded 86 HEUs to St. Patrick Park by St. Patrick's Catholic Church and 20 HEUs to Creekside at Jackson by Reynen & Bardis.
- 2008 zero HEUs- The zero allocation was due to a desire to see the impacts of previously approved allocation projects since none had been built and occupied.
- 2009 150 HEUs- An additional 50 HEUs was awarded to the Fuller Family Partnership (previously the Reynen & Bardis project) for a total of 100 HEUs for the proposed subdivision.
- 2010 140 HEUs- No Notices of Intent to Develop were received.
- 2011 150 HEUs- No Notices of Intent to Develop were received.

In 2012 the City Council, on recommendation of the Planning Commission, and because of the lack of development applications, suspended the Housing Equivalent Unit Allocation and Notice of Intent to Develop requirement. The suspension allowed a developer to submit a subdivision application at any time during 2012. None were received. Additionally, in 2012 the City Council extended the HEU allocations for the three projects that still held them (Shealor Trust Property, Fuller Family Partnership, and St. Patrick Church) but made it clear that these additional one year extensions would be the last extension of time for these specific projects. As of December 31, 2012, these projects no longer have a HEU allocation.

Because there has been no interest for any new subdivision developments in the City, staff recommended that the Planning Commission again recommend that the City Council suspend the Housing Equivalent Unit Allocation and Notice of Intent to Develop requirement. This would allow a

developer (including those who previously held HEUs) to submit a subdivision application anytime during the year. Applications would still be required to comply with the design criteria outlined in the Resource Constraints and Priority Allocation Ordinance and would be processed in accordance with the Subdivision Map Act and the California Environmental Quality Act- both of which require Planning Commission review and approval.

The Planning Commission reviewed staff's recommendation to suspend the HUE allocation requirement for 2013 at their January 22 meeting. After some discussion regarding the development entitlement process without acquiring HEUs, the Planning Commission voted unanimously to recommend to the City Council the suspension of the Housing Equivalent Unit Allocation and Notice of Intent to Develop requirement for 2013.

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

**Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and unanimously carried to approve to suspend the Housing Equivalent Unit Allocation and Notice of Intent to Develop requirement for 2013 and adopt Resolution No. 2013- 03, suspending the program for 2013.**

#### 10. CLOSED SESSION

- a. Public Employee Annual Performance Evaluation: City Manager. (Pursuant to Government Code Section 54957)

Vice-Mayor Gonsalves open to Open Session at 7:49 p.m. and announced there was no reportable action taken.

#### 11. ADJOURNMENT

Adjourn 7: 50 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: February 25, 2013