

Jackson City Council
Minutes
Regular Meeting of January 10, 2011

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

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

COUNCIL MEMBERS ABSENT:

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

Mayor Gonsalves called for a moment of silence for Tucson shooting victims.

1. APPROVAL OF AGENDA.

Moved by Vice-Mayor Sweet and by Councilmember Lewis, and unanimously carried to approve the City Council Agenda dated January 10, 2011 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

Warren Carleton, Chairman Cemetery Committee, was presented to express the committee concern about the continued use of the cemetery for the city's corporation yard; that the continued operations of the corporation yard on cemetery land disrupts the setting, the appearance and the tranquility of the cemetery. At a previous City Council meeting Bob Devlin, Oro de Amador Advisory Committee report contradicted the Grand Jury Report that called for this to be done and restore to cemetery use. He provided a brief history of the cemetery property.

City Manager Daly reported the City began setting aside funding to move the Corporation Yard and there is currently \$58,000 reserved for this purpose. Funds have not been put in this sinking fund the past two years due to fiscal constraints and no other planning has taken place for this move, nor does City have any sources of funds at this time for the project.

Bob Devlin, Oro de Amador Study Group, stated Councilmember Lewis brought this matter to his attention at a previous presentation he made before the Cemetery Committee. He will be reviewing future needs of City of Jackson and submitting proposals for use of Cemetery Land with regards to the Corporation Yard at the January 12 Cemetery meeting. Oro De Amador Study Group will be submitting a report on City Corporation Yard Options to the City Council at their next meeting.

Jack Georgette, Jackson, stated had no idea this issue was going to be talked about. He noted for the record he has a copy of the lawsuit Marilyn Lewis brought before the City of Jackson on this matter and requested Councilmember Lewis address this lawsuit.

Councilmember Lewis stated she started the lawsuit to stop the desecration of Cemetery property but discontinued it once she was elected to the City Council. She stated she has all of the supporting paper work if needed. She explained cemetery funds were used to purchase this property and agreed the Corporation Yard should be moved when the City has the funds to do so.

John Plasse, Board of Supervisors, stated the County and City should be able to collate a joint Public Works area and now would be a great time for collaborating this effort.

Mayor Gonsalves reiterated the City is aware of this issue.

3. CONSENT CALENDAR.

- a. Approval of Minutes of December 13, 2010 meeting.
- b. Approval of Expenditure Report for January in the amount of \$218,569.65.
- c. Approval of Salary related items for December the amount of \$252,887.51.
- d. Receive Jackson Police Department Monthly Report for December 2010.
- e. Receive Building Department Monthly Reports for December 2010.
- f. Rejection of Claim – John Pedersen.
- g. Adopt Resolution Accepting Drainage Easement at 222 Water Street, Anderson.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and unanimously carried to approve as amended except for:

- 1. Councilmember Sweet abstained on the approval of Check 233832 in the amount of \$533.97.**
- 2. Councilmember Crew abstained on the approval of Check 233815 in the amount of \$2,298.29.**

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported the Fire Department monthly report will be submitted at the next meeting. He stated the Fire Captain Cody Martinson, Fire Engineer Robert Greathouse and Fire Engineer Louis Podesta are doing wonderful job and the Fire Chief recruitment deadline is Friday, January 21. He informed the Council that Jack Quinn had heart surgery today.

Police Chief Morris reported the Police Department responded to 510 calls last month. He provided a brief update regarding the recent incident involving the arrest and Police Department vehicle accident. Staff will address this subject matter at their staff meeting.

City Manager Daly reported on the following:

1. He will be listening to the League of Cities' teleconference tomorrow regarding the State Budget.
2. Jackson Revitalization Committee meeting will be held Thursday, January 13.
3. The Clean It & Green It is tentative set for either Saturday, April 16 or 23 from 10:00 a.m. through 2:00 p.m. Staff has been meeting working with County Waste Management next week to discuss the event.

5. COUNCIL REPORTS.

Councilmember Garibaldi attended the Amador County Recreation Agency's "Blue Moon" New Years Eve Bash and noted it was a great event with well over 600 people in attendance.

DISCUSSION CALENDAR.

- 6. Request for Façade Program Funding Exceeding Approved Amount for 105 Main Street, The Main Event Sports Lounge.**

City Manager Daly reported at the September 27, 2010, the City Council reviewed a façade improvement program request submitted by Richard Harrison for improvements at The Main Event Sports Lounge at 105 Main Street in downtown Jackson. The application was brought to the City Council for review because it exceeded the \$1,500 matching limit allowed to be reviewed only by staff. The grant amount approved by the City Council was \$4,000, anticipated to be no more than one-third of the total project cost. As work proceeded on the project, several “unknown factors” were uncovered and the cost rose much higher than anticipated. One example was the intent to expose the original brick front. The condition of the brick had deteriorated so much that it was impossible to restore. As a result, the brick had to be treated and sealed, then painted. The provided request provides copies of all project invoices and totals \$27,116. The letter requests a one-third match for the total cost of the project or \$9,039. The City Council allocated \$15,000 in Measure E funds for this program. To date, only one other application has been received from Robert Fancher (\$1,500 still in process) for old kitchen store building, however, other owners have expressed interest in the program.

Richard Harrison, applicant, was present to answer questions of the City Council. He provided before and after pics of the project. Contractor Don Carter completed the work on December 6. He invited the City Council and public to the Main Event Grand Opening on February 4.

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

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

Moved by Councilmember Lewis, seconded by Councilmember Crew, and unanimously carried to approve the request submitted by Errol Esbit on behalf of The Main Event Sports Lounge for additional funding from the façade improvement program and determine Council action. An amount of \$5,039 above the original approved amount of \$4,000 is being requested.

7. Kennedy Tailing Wheel Preservation Project.

Vice-Mayor Sweet provided the presentation regarding the Kennedy Tailing Wheel Preservation Project, and stated it was a countywide project to preserve historical-cultural heritage. The presentation included a few facts and history of the park. He is looking for countywide participation.

The goals of this project are:

1. Raise \$280,000 for preservation of Wheel #4 and park improvements.
2. Raise \$350,00 more to improve Scenic Viewpoint on Highway 49/88 to include: gateway entrance, rock the hillside behind parking, new historical signage and ADA accessible benches/signage.

He will be making various presentation through out the county requesting in-kind assistance, volunteers to serve on the steering committee, work on a specific part of project such as replacing the kiosk roof, write new historical marker signs, paint signs and buildings, clean park benches and write letter of support for grant. Tracey Towner-Yep, ACRA is researching grants for the project.

Mayor Gonsalves opened the public discussion. The following individuals spoke regarding the Kennedy Tailing Wheel Preservation Project, Jack Georgette and Thornton Consolo. Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

8. Recreation Park Bond Act Grant (Proposition 84) Planning Process for Oro De Amador Funding Application.

City Manager Daly reported the City and the Amador County Recreation Agency (Director Tracey Towner-Yep and Stephanie Stowers) have discussed teaming together to prepare a grant application for recreational development of the Oro De Amador property. This 159 acre property is located between North Main Street and New York Ranch Road, just north of the City cemetery and south of Kennedy Tailing Wheel Park. The property was acquired by the City in December 2006 and was reviewed by a special ad hoc committee in 2007 to look at potential uses. In addition, group of citizens formed the Oro De Amador Study Group and presented information to the City Council last year.

On November 7, 2006, California voters passed Proposition 84. The \$5.4 billion "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" is detailed in the Public Resources Code §§ 75001 through 75090. The first round of grant applications were awarded in October 2010 and a second round for new applications is expected to have a deadline this spring.

This is a highly competitive grant program. This program will award grants on a competitive basis for the creation of *new parks* and *new recreation opportunities* in *proximity* to the most *critically underserved communities* across California. The creation of *new parks* in neighborhoods will be given priority. (Italicized emphasis included in grant guidelines). A total of \$368 million is available statewide, with a maximum grant award of \$5 million.

Public input is a key component of the Prop. 84 grant application process. The City's previous committee work, plus the efforts of the Oro De Amador Study Group will be helpful in this regard. However, since a master plan has yet to be created for the property, new public meetings and input opportunities will be vital to the development of a competitive application. The attached information created by ACRA provides a recommended approach. Further details will be discussed at the City Council meeting.

Tracey Towner-Yep, ACRA was present to provide an overview of the Public Input Process. The application guide for the grant includes "Community Based Planning, which includes a layout of what is expected of public outreach for the grant. The guidelines layout three different areas that are important for which scoring scales are provided.

1. The first area deals with where the meetings are held.
2. The second area is concerned with what types of meeting are conducted.
3. The third area is concerned with how much input the community has in the park planning.

The application deadline is to be determined; ACRA would like to complete the public input process by March 15 to be prepared for any application deadline after April 1. A copy of the timeline for the Public Input Process was provided.

City Manager Daly stated staff will get the word out on the City's website in order to educate the public on the Proposition 84 grant application process and timeline.

9. Request for Extension of Previously Approved HEUs for Shealor Trust Property for 2011.

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. 2011-01 approving a one year extension of the HEU allocation for the Shealor Trust Property.

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.

Mayor Gonsalves opened the public discussion. Thornton Consolo was opposed to the one year extension of the HEU allocation for the Shealor Trust Property. Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

Moved by Councilmember Lewis to deny the approval of a one year extension of the HEU allocation for the Shealor Trust Property. The motion died for lack of a second.

Moved by Vice-Mayor Sweet, seconded by Councilmember Garibaldi, and carried by a 4 to 1 vote (Councilmember Lewis dissenting) to adopt Resolution No. 2011-01 approving a one year extension of the HEU allocation for the Shealor Trust Property.

10. ADJOURNMENT.

Adjourn 8:32 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: January 24, 2011