

Jackson City Council
Minutes
Regular Meeting of November 10, 2014

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

Michael Daly, City Manager
Josh Nelson, City Attorney
Scott Morrison, Police Chief
Mark Morton, Fire Chief
Gisele Wurzburger, City Clerk

COUNCIL MEMBERS ABSENT:

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

1. APPROVAL OF AGENDA.

Mayor Crew removed item 8 Recommendation to ACTC for the Regional Transportation Plan from the agenda due to this item was not ready for discussion at this time.

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the City Council Agenda dated November 10, 2014 as amended.
Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet
NOES: None
ABSENT: None
ABSTAIN: None**

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Minutes of October 27, 2014 meeting.
- b. Approval of Expenditure Report for the period of November in the amount of \$73,295.34.
- c. Approval of Salary related items for October amount of \$282,536.30.
- d. Accept September 2014 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Fire Department Monthly Report for October 2014.
- f. Receive Jackson Police Department Monthly Report for October 2014.
- g. Receive Building Department Monthly Report for October 2014.
- h. Approve Special Event – Operation Care 3rd Annual Color Madness Run, February 7, 2015.
- i. Approve Special Event – Christmas Delights November 28 & 29, 2014.

Moved by Councilmember Garibaldi, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the Consent Calendar as amended except for. Motion passed with the following vote:

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet
NOES: None
ABSENT: None
ABSTAIN: None**

Councilmember Sweet abstained on the approval of Check 2425 in the amount of \$606.57.

Mayor Crew abstained on the approval of Check 2390 in the amount of \$545.23.

Councilmember Lewis abstained on the approval of Minutes of October 27, 2014 meeting.

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported on the following:

1. Jackson Fire Department in October 2014 responded to 97 calls last month, 83 medical calls, 13 public assists, 3 fire related, 0 hazardous materials, 4 traffic accidents and 26 of the calls or 26 percent were outside of the city limits for automatic aid to the AFPD.
2. Attended the Argonaut High School Career Day.
3. Councilmembers will ride the Studebaker in the Annual Veterans' Day Parade.
4. Santa Patrol and Food Drive scheduled for December 19 thru December 22.
5. Demolition Exercise on Broadway was completed last week.

Police Chief Morrison reported on the following:

1. The Department responded to 767 calls for service for the month of October.
2. Starting up the Cadet Program again.
3. The Department has been provided a packet relative to the challenges that might be created with the passing of Proposition 47 Criminal Sentences. Misdemeanor Penalties. Initiative Statute ,
4. The Department is prepared for the upcoming Special Events in November.

City Manager Daly reported on the following:

1. Item 8 Recommendation to ACTC for the Regional Transportation Plan continued to the November 24 meeting.
2. The 5th Annual Veterans' Day parade will be held Tuesday, November 11.
3. Amador County Health Department held an Ebola meeting on Wednesday.
4. The Environmental Protection Agency public meeting is Tuesday November 18, at 6:30 p.m. in the Jackson Civic Center to provide information to the public about the Argonaut property.

5. COUNCIL REPORTS.

Councilmember Garibaldi attended the Amador County Recreational Agency meeting.

Councilmember Lewis will be attending the Central Sierra Resource Conservation & Development on Wednesday, November 12.

Vice-Mayor Gonsalves will be attending the Amador County of Tourism meeting this week.

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. 2014 Amador County Community Assessment.

City Manager Daly reported Nina Machado, First 5 Amador, Executive Director, was present to present the Amador County Community Assessment. comprehensive report.

Nina Machado, First 5 Amador, Executive Director, reported the Amador County Community Assessment was a comprehensive report. The Amador County Community Assessment was made possible through the very generous support noted on the last page of the report. In addition to the donors, other agencies supplied significant time and knowledge. She requested the City keep her posted if this document was useful to the City.

Vice-Mayor Gonsalves requested the Amador County Community Assessment be posted on the City's website.

No action was taken on this item.

7. Sewer Rate Increases. Review and determine Council action regarding Ordinance No. 680.

City Manager Daly reported at the August 11, 2014, meeting, the City Council received a presentation by Georgette Aronow, the City's sewer rate consultant, regarding the proposed changes to the sewer rate and other improvements at the wastewater treatment facility. The City Council approved the draft work prepared by Ms. Aronow and approved by the Sewer Rate Committee and a notice regarding the changes was mailed in late August as required by Proposition 218. Information regarding the proposed rates and protest process was mailed to Jackson sewer ratepayers and owners in August and September. As part of the review of the proposed rates, the City Council requested that items be placed on the two September meeting agendas and the October agenda to provide the public with an opportunity to seek additional information about the proposed increases. In addition, a separate mailer was sent to the 260 commercial customers due to the change in the methodology for rate calculations to these businesses.

At the last City Council meeting, the main protest group turned in over 1,000 protest votes for verification. A total of 1,051 protests were received. After a careful review, staff found duplicate votes and ineligible voters (primarily renters) and the total number of valid protests is 656. Though quite a few objections were received, it is well short of the 872 protests required to stop any action by the City Council. Although it is short, the opponents feel that the protest was significant, but obviously were hoping for more valid protests. According to the City's Finance Department, 1,742 properties are billed for sewer service. This means that a total of 871 plus one are required to protest the proposed increases. In addition to owners of these properties, approximately 33 renters who pay the sewer bill may also vote, however, that does not change the number required for a protest - 872.

At this time, the City Council has options for action.

- The first option would be to start the ordinance (No. 680) adoption process with this agenda item. If it wants the rates to go into effect on January 1, 2015 as planned, this would be necessary given the timing of the ordinance adoption and the 30 day period following the formal adoption.
- The other option would be to hold off on adoption due to the larger number of protests received (656 -just under 37% of the total number of eligible protesters). Even though it was not a large enough number to prevent the Council, the group opposing the increase had many other votes that were renters and thus not counted.

The provided ordinance, Ordinance No. 680, Setting Sanitary Sewer Service Charges and Amending Section 13.24.010 of the Jackson Municipal Code Regarding Adopting Sanitary Sewer Service Charge is now the required mechanism in most sewer systems and is recommended by the City Attorney as the implementation measure.

Mayor Crew opened the public hearing. The following individuals spoke in opposition of the Sewer Rate Increase – Proposition 218, Jan Reyes, Ken Berry, Debbie Dunn, Bill Condrashoff and Lorenzo Reyes.

The following individuals spoke in support of the Sewer Rate Increase – Proposition 218, Jack Georgette and Thornton Consolo.

City Attorney Nelson noted for the record the following amendment to Ordinance 680 - Section 2 Charges – pursuant to Government Code section 5471 should read pursuant to Health & Safety Code section 5471.

Hearing no further comments, Mayor Crew closed the public hearing.

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

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves and carried by a 5 to 0 vote to approve the first reading of Ordinance No. 680, Setting Sanitary Sewer Service Charges and Amending Section 13.24.010 of the Jackson Municipal Code Regarding Adopting Sanitary Sewer Service Charge as amended.

Motion passed with the following vote:

- AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet**
- NOES: None**
- ABSENT: None**
- ABSTAIN: None**

Adjourn 8:34 p.m.

ATTEST:



 Gisele L. Wurzbarger, City Clerk

Date Approved: November 24, 2014