

Jackson City Council
Minutes
Regular Meeting June 25, 2012

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

Michael Daly, City Manager
Kara Ueda, City Attorney
Scott Morrison, Police Chief
Marc Crain, Fire Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

Vice-Mayor Gonsalves reconvened to Open Session at 7:00 p.m. and announced there was no reportable action taken.

Mayor Crew called the meeting to order at 7:04 p.m.

1. APPROVAL OF AGENDA.

Moved by Councilmember Garibaldi and seconded by Councilmember Lewis, and unanimously carried to remove Agenda Item 8 and approve the City Council Agenda dated June 25, 2012 as amended.

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Minutes of June 11, 2012ing.
- b. Approval of Expenditure Report for June in the amount of \$175,527.74.
- c. Accept May 2012 Treasurer's Report and Sales Tax Report.

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves, and unanimously carried to approve except for:

Mayor Crew abstained on the approval of Check 236116 in the amount of \$289.33

4. ADMINISTRATIVE REPORTS.

Police Chief Morrison reported on the following:

1. The department responded to several incidents this month.
2. No related incidence at the "Jazzin' It Up In Jackson event and noted there were requests for possible closure of Main Street next year.

City Attorney Ueda reported she was filling in for City Attorney Morris during his absence.

City Manager Daly reported on the following:

1. The Measure E Advisory Committee meeting will meet Friday, June 29 to review 6 proposals and the recommendation will be submitted on the July 9 City Council agenda.

2. Tractor Supply Company plans to have their soft opening on Saturday, August 4 and an open house event for local officials on Friday evening, August 3.
3. Funds for the Kennedy Tailing Wheel Preservation Project for will be released this week.
4. City Engineer Weber is working on the Jackson Vista Point Improvement Project which will go out to bid in July.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported on the following:

1. Attended the ACRA Barbeque at the Kennedy Mine.
2. Attended AmadorArts is hosting the 2nd annual "Jazzin' It Up In Jackson". Larger and
3. Attended the ACT meeting at the Blue Moon Café and Catering in Pine Grove.

Councilmember Lewis reported on the following: nothing

Vice-Mayor Gonsalves reported on the following:

1. Attended AmadorArts is hosting the 2nd annual "Jazzin' It Up In Jackson".

Councilmember Sweet reported on the following:

1. Attended the Kennedy Mine Foundation Board meeting.
2. Attended the Historic Society fundraiser dinner.

Mayor Crew reported on the following:

1. Attended AmadorArts is hosting the 2nd annual "Jazzin' It Up In Jackson".

DISCUSSION CALENDAR.

6. Rejection of Bids – Court Street/Highway 88 Intersection Highway Safety Improvement Program Project.

City Manager Daly reported the City received four bids for the Court Street/Highway 88 Intersection Highway Safety Improvement Program Project as provided on the provided summary spreadsheet.

City Engineer Weber was present to answer questions of the City Council. Two bidders K.W. Emerson, Inc. and Martin Engineering added the deductive alternate to their base are required by the project specifications. The other two bidders, George Reed, Inc. and Vinciguerra Construction subtracted the deductive alternative to determine their total bid. Federal bid project wording

Subtracting a "deductive alternative" from a base bid to determine "total bid" is a common practice, however it was the method set forth in this project's specifications. Evaluation of the bid in this manner would change the outcome of the low bid by \$4,940 with Vinciguerra Construction being the low bidder at \$311, 280. Since the "basis for award" set forth in the specifications is the base bid **PLUS** the deductive alternative, the low bid is K.W. Emerson's bid of \$316,220.00 and the bids of George Reed, Inc. and Vinciguerra Construction would be deemed "non-responsive."

The City Engineer's perspective would be that the City Council has two alternatives:

1. Award the contract to K.W. Emerson.
2. Reject all bids and rebid the project.

In light of the of the disparity in half of the bids submitted, it is recommended the City reject all bids, direct City Engineer to revise the specification and bid proposal to change "deductive alternate" to

“additive alternative” and make other related clarifications and readvertise the project. By reducing construction time from 45 to 35 days which changes the award schedule to the following dates:

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|--------------------------|--|
| 1. Advertise | June 26 written notice to previous Bidders |
| 2. Mandatory Pre-Bid | July 19 |
| 3. Open Bids | August 8 |
| 4. Awards Contract | August 13 City Council meeting |
| 5. Start Constructions | August 18 |
| 6. Complete Construction | November 2 (allows 35 work days) |

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

Moved by Councilmember Garibaldi and seconded by Vice-Mayor Gonsalves, and unanimously carried to adopt Resolution 2012-24 Rejecting All Bids Opened on June 13, 2012 for the Court Street Reconstruction Project, City Project 2007-09 and Authorizing City Engineer to Execute Necessary Documents to Advertise and Rebid the Project.

7. Public Hearing – Regional Traffic Mitigation Fee Annual Report and Program Amendment to Modify Fee Rates.

City Manager Daly report Charles Field, Executive Director of the Amador County Transportation Commission (ACTC) could not attend tonight’s meeting. He reported this is a public hearing to summarize the Regional Traffic Mitigation Fee Oversight Committee recommendation pertaining to management of the countywide RTMF program. Three actions are requested as follows:

1. Review and approve the RTMF Annual Report for fiscal year 2010/2011.
2. Approve and additional loan of up to \$250,000 the Prospect Drive/Ridge/Bowers Intersection project.
3. Approve Amendment #2 to the Memorandum of Understanding (MOU) between the cities, County, and ACTC changing the RTMF fee schedule to support commercial development and the economy and to add a fee appeals process.

Annual Report for FY 2009/10 and Program Recommendations for FY 2010/11 and answer questions from the City Council and the public. The Regional Traffic Mitigation Fee Annual Report is concerning fiscal year 2009/10. This report contains the RTMF oversight committee’s recommendations for program funding and other program implementation work for the current fiscal year. The projects within the City of Jackson include the Sutter Street extension and the Highway 88/Court Street intersection. Another project near the city limits is the intersection of Argonaut Lane and Highway 49/88. This fiscal year’s main accomplishment in the program was completion of the Mission Boulevard Extension project. This project finished under budget and more than three years ahead of a deadline established by the Caltrans as a condition of the Broadway Bridge funding. The Annual Report and the committee’s recommendations are subject to approval by the City Council as well as the Amador County Board of Supervisors and the other four cities participating in the RTMF Program.

Mayor Crew opened the public hearing. Judy Jebian spoke regarding Fiscal Year 2010/11 Regional Traffic Mitigation Fee (RTMF) Program. Hearing no further discussion, Mayor Crew closed the public discussion.

Moved by Councilmember Sweet, seconded by Councilmember Lewis, and unanimously carried to adopt Resolution No. 2012-22, Approving the Fiscal Year 2010/11 Regional Traffic Mitigation Fee (RTMF) Program Annual Report and Fiscal Year 2010/11 Recommendations for Programming and Expending Funds.

Moved by Councilmember Sweet, seconded by Councilmember Garibaldi, and unanimously carried to adopt Resolution No. 2012-23, Approving Amendment No. 2 to the Memorandum of Understanding Between Amador County, Its Cities, and Amador County Transportation Commission Concerning the Regional Traffic Mitigation Fee Program.

8. Resolution to Rescind Resolution No. 2012-16, Approving ACES Waste Services Rate Increase of 3.68% and Direct Staff to Proceed with Proposition 218 Process.

This item was removed from the agenda.

9. Adoption of Fiscal Year 2012-2013 City of Jackson Budget.

City Manager Daly reported staff help formulate this budget. He thanked staff for all their effort and support while maintaining the same level service. He provided a presentation of the Fiscal Years 2012/2013 Operating and Capital Budget for approval. The Fiscal Year 2012/2013 Operating and Capital Budget provides a financial narrative and detail that allows residents to understand how services are provided and what could be expected in the year ahead. The Budget is accessible to the public on the City of Jackson website or at the City Hall and the library.

At the last City Council meeting, several issues related to the Fiscal Year 2012-13 City Budget were identified and reviewed. The provided resolutions include the resulting recommendations from staff for adoption of the proposed budget for the fiscal year beginning July 1, 2012. The challenges of the economic recession remain constant and reach into every municipal operation serving the citizens of Jackson.

The City Council has also utilized the talents of citizens to assist with community projects starting with the Jackson Revitalization Committee and continuing with the Save the Wheel Committee over the past year. Furloughs, salary freezes and reduced staffing levels that went into effect three years ago will continue to be part of the solution to the pressures of local economic conditions this fiscal year. This allows the citizens to continue to receive municipal services without a noticeable decline in responsiveness, whether it be law enforcement or fire services, building safety or water quality, street maintenance or wastewater treatment.

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

After considerable discussion among the City Council and staff the following motions were made:

a. Resolution No. 2012-25 Approving the City Operating Budget and City Capital Improvement Budget for Fiscal Year 2012-2013.

Moved by Councilmember Sweet and seconded by Vice-Mayor Gonsalves, and carried by a 3 to 2 vote (Mayor Crew and Councilmember Garibaldi dissenting) to adopt Resolution No. 2012-25 Approving the City Operating Budget and City Capital Improvement Budget for Fiscal Year 2012-2013.

- b. **Resolution No. 2012-26 Authorizing Full-Time Positions in City Service for Fiscal Year 2012-2013.**

Moved by Councilmember Sweet and seconded by Vice-Mayor Gonsalves, and unanimously carried to adopt Resolution No. 2012-26 Authorizing Full-Time Positions in City Service for Fiscal Year 2012-2013.

- c. **Resolution No. 2012-27 Setting a Tax Appropriation Limit for Fiscal Year 2012-2013.**

Moved by Councilmember Lewis and seconded by Councilmember Sweet, and unanimously carried to adopt Resolution No. 2012-27 Setting a Tax Appropriation Limit for Fiscal Year 2012-2013.

- d. **Approval of SEIU Local 1021 (General Employees) Memorandum of Understanding Side Letter.**

Moved by Vice-Mayor Gonsalves and seconded by Councilmember Lewis, and unanimously carried to approve SEIU Local 1021 (General Employees) Memorandum of Understanding Side Letter. And

- e. **Approval of Jackson Police Officers Association Memorandum of Understanding Side Letter.**

Moved by Vice-Mayor Gonsalves and seconded by Councilmember Lewis, and unanimously carried to approve Jackson Police Officers Association Memorandum of Understanding Side Letter.

10. Planning Commission and Cemetery Committee Appointments.

City Manager Daly reported the Planning Commission terms last two years and expire on June 30. During even numbered years, two seats expire and during odd numbered years, three seats expire. This year, the seats of Planning Commission members Joe Assereto and Fred Hall expire on June 30. Both commissioners have applied for re-appointment and no new applications were filed.

Cemetery Committee terms also last two years and expire on June 30. Two seats are expiring this year: Warren Carleton and Walt Hoeser. Both of the current committee members have applied for re-appointment.

Moved by Vice-Mayor Gonsalves and seconded by Councilmember Lewis, and unanimously carried to appoint Joe Assereto and Fred Hall to serve on the Planning Commission.

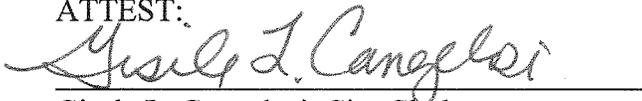
Moved by Vice-Mayor Gonsalves and seconded by Councilmember Lewis, and unanimously carried to appoint Warren Carleton and Walt Hoeser to serve on the Cemetery Committee.

11. CLOSED SESSION- This item was cancelled.

Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9). Name of case: Orescan v. City of Jackson, 12-CV-7862. No action taken on this item.

Adjourn: 8:55 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: