

Jackson City Council  
Minutes  
Regular Meeting of November 13, 2012

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

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

**COUNCIL MEMBERS ABSENT:**

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

Mayor Crew called for a Moment of Silence in honor of George Bryovich and Dave Butow.

**1. CEREMONIAL.**

- a. Accept \$5,000 Donation for Kennedy Tailing Wheels Preservation project from PG&E. Mr. George and Mark Rasmussen from PG&E were present to award a \$5,000 donation for the perseverance and improvement to the access to the Kennedy Tailing Wheel #4. They reiterated their support of the Jackson community and were glad to be a small part of this historic project. Councilmember Sweet thanked PG&E for their support generous donation and support.
- b. Proclamation Commending Retiring Police Officer Mike Collins. Mayor Crew presented Officer Collins with 2 proclamations: one from the City of Jackson and one from Senator Ted Gaines's office.
- c. Proclamation Honoring Planning Commissioner Joe Assereto.
- d. Proclamation Honoring Planning Commissioner David Butow.
- e. Proclamation Saluting the Rotary Club of Jackson on their 60th Anniversary.
- f. Swearing-In of Fire Chief Mark Morton. City Manager Daly gave a brief introduction of new Fire Chief Mark Morton. City Clerk Cangelosi swore in Fire Chief Mark Morton.

**2. APPROVAL OF AGENDA.**

**Moved by Councilmember Lewis, and seconded by Councilmember Sweet, and unanimously carried to approve the City Council Agenda dated November 13, 2012 as presented.**

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

Thornton Consolo, Jackson, commented on all of the proclamations and noted these individual had done a great job and will be missed.

**4. CONSENT CALENDAR.**

- a. Approval of Minutes of October 9, 2012 and October 22, 2012.
- b. Approval of Expenditure Report for October in the amount of \$360,483.33.
- c. Approval of Salary related items for October in the amount of \$264,487.19.
- d. Accept September 2012 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for October 2012.
- f. Receive Jackson Fire Department Monthly Report for October 2012.

- g. Receive Building Department Monthly Report for October 2012.
- h. Approval of Special Event – JBCA’s Christmas Delights, November 23 & 24.

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi, and unanimously carried to approve except for.**

**Mayor Crew abstained on the approval of Check 236724 in the amount of \$30.00 and approval of the Minutes of October 9, 2012.**

**Councilmember Sweet abstained on the approval of Check 236760 in the amount of \$570.79.**

**Councilmember Lewis abstained on the approval of the Minutes of October 22, 2012.**

#### **4. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported on the following:

1. Jackson Fire Department responded to 126 calls last month, 86 medical calls, 16 public assists, 14 fire related, 0 hazardous materials, 10 traffic accidents and 28 of the calls or 22 percent were outside of the city limits for automatic aid to the AFD.
2. The department participated in the Jackson Lions Club Halloween Parade, Argonaut High School “Big Game” Parade and Rally, and American Legion Post 108, Veterans’ Day Parade.
3. The department will be participating in the Christmas Delights festivities. The Great Pyrenees Dogs will be at the Main Street Station and they will be serving hot chocolate.
4. The department will take of Santa’s transportation.

Police Chief Morrison reported on the following:

1. The Department responded to 519 calls for service for the month of October.
2. The Department has been investigating recent catalytic converter thefts.

City Manager Daly reported on the following:

1. Thanked the American Legion Post 108, for the Veterans’ Day Parade and C-130 fly over, this year’s parade had a great turn out.
2. At the Jackson Revitalization meeting two individual made a presentations.
  - a. Economic Development in Sonora/Tuolumne County, featuring Larry Cope, Tuolumne County Economic Development Authority Director.
  - b. City of Jackson Circulation Improvement Program, featuring Neil Peacock of ACTC explaining this project focusing on planning transportation improvements and funding strategies for Jackson. ACTC will hold a workshop in the Council Chambers on Thursday, November 29.
3. The Parking Committee distributed the downtown parking survey to merchants and we now have 41 surveys returned. Recommendation will be forwarded to the City Council on the November 26 agenda.
4. JBCA’s Christmas Delights, November 23 & 24 the Tree Lighting with Santa will be Friday night this year. Pictures with Santa will be at the National Hotel both nights.

#### **5. COUNCIL REPORTS.**

Councilmember Garibaldi reported on the following:

1. Attended the Amador Council of Tourism meeting.
2. Attended the Jackson Revitalization meeting.

Vice-Mayor Gonsalves reported on the following:

1. Attended the Amador Council of Tourism meeting.
2. Attended the Jackson Revitalization meeting.
3. Attended Argonaut High School "Big Game" Parade and Rally.
4. Participated in the American Legion Post 108, Veterans' Day Parade.

Councilmember Sweet reported on the following:

1. Participated in the American Legion Post 108, Veterans' Day Parade.
2. Attending the Kennedy Mine Foundation Board meeting.
3. Provided a brief update on the Vista Point Improvement Project.
4. Jim Laughton also request the Jackson's first Mayor Mr. Garbarini's monument be moved as well because he gets no respect where it is currently located.

### **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.

#### **7. Award of Bid – Kennedy Tailing Wheels Preservation Project.**

City Manager Daly reported the City of Jackson applied for and received a Transportation Enhancement (TE) grant to preserve and improve access to the Kennedy Tailing Wheel #4. The project is located at the Kennedy Tailing Wheels Park on Jackson Gate Road. The project is fully located within the National Register of Historic Places boundary for the Kennedy Wheels. This project will erect a building similar in shape and size to the original building that housed the wheels during their active history. The structure will allow for protection from the elements and cessation of deterioration of previously restored Wheel #4 as well as allowing for the observation of the wheel by the viewing public via a glass wall of the west side of the structure and a partial glass wall of the east side. Also included in the project is the construction of ADA compliant access and parking at the bathrooms, Mining and Tailing Wheel history kiosk, picnic area and Wheel viewing areas. Interpretive signage within the park and Highway 49/88 Vista Point will be established along with highway directional signage on State Highway 49 and Jackson Gate Road.

Transportation Enhancement projects whose sponsor is partnering with, or has agreed to employ the services of the California Conversation Corp shall be selected first for funding. Therefore, as part of the application process for this TE grant the City of Jackson communicated with the Sacramento Regional Conservation Corp to request the assistance on the project. The City Engineer's office, with the assistance of Weatherby, Reynolds and Fritson, designed the improvement project. The specifications were written so that the scope of work that the Conservation Corp agree to be bid on was considered Additive Alternate #2. The design was submitted to Cal Trans for their review and approval, and all of the environmental work has been completed. A copy of all bid items is attached to provide information about the full scope of all work involved with this project.

The project was advertised and a mandatory pre-bid meeting was held on Wednesday, October 3, 2012. A total of ten companies were represented at the pre-bid meeting including the Sacramento Regional Conservation Corp. During the bid walk all the contractors were notified of the conservation Corps involvement in the project. The Sacramento Regional Conservation Corps bid for labor for

Additive Alternate # 2 was \$37,082.00. The City of Jackson estimates the materials for this work at \$16,800.00.

The bid deadline was October 17, 2012, and a total of three bids were submitted for consideration. The bidding firms and proposed base bid prices were as follows:

John Hertzig Construction	\$508,910.00
Vinciguerra Construction	\$540,265.00
Seward L. Schreder Construction	\$686,041.00

The City Engineering Department reviewed the proposed bids and found the low bid submitted by John Hertzig Construction to be in compliance with the bid specifications and all other Caltrans requirements. After the bid is awarded, City staff will work with the contractor to determine the construction scheduling. The awarding of the contract will allow the contractor to implement the design process for the metal building and submit it to staff for review and approval. The physical site work may be delayed until warmer temperatures after the winter months.

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

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

**Moved by Councilmember Sweet, seconded by Councilmember Lewis, and unanimously carried to adopt Resolution No. 2012-42 approving a Notice of Award to John Hertzig Construction as the lowest responsible bidder for the subject project in the amount of \$508,910.00.**

#### **8. Funding Request from the Amador County Film Commission.**

City Manager Daly reported the Amador County Film Commission has submitted the attached request for funding. Though the Film Commissioner, Tom Blackman, was advised of the traditional request for funding process from the Measure E program, there are current expenses and activities occurring and he felt it was appropriate to submit his request at this time.

The request for funding from the City of Jackson is for \$1,000. During this year's Measure E funding allocation process, a total of \$36,000 was awarded to local organizations. The remainder of the \$56,081 generated in 2011 was reserved for additional economic development projects that surface within the City of Jackson during the fiscal year.

Tom Blackman, Film Commissioner, provided a brief recap of the Amador Country Film commission. The request for proposal contains objectives for the AFC/Marketing Consultant to accomplish in the year 2013. The Film Commission Budget for 2013 is \$4,900 and he will also be requesting funding from County of Amador, City of Sutter Creek, City of Ione, City of Plymouth and fundraiser.

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

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

**Moved by vice-Mayor Gonsalves seconded by Councilmember Garibaldi, and unanimously carried to approve the Amador County Film Commission's request for**

**funding from the City of Jackson in the amount of \$1,000 from Measure E set aside funding.**

**9. Appointment of Accessibility Board of Appeals.**

City Manager Daly at the October 22, 2012, City Council meeting, the new Accessibility Board of Appeals was established. Immediately after the meeting, a public notice was released requesting applicants for the five seats on this advisory board appointed by the City Council.

Health and Safety Code sections 19955 to 19959.5 require all "public accommodations or facilities" constructed with private funds to comply with accessibility requirements. Public accommodations and facilities include most buildings used by the public, including restaurants. This chapter requires new and remodeled buildings to contain certain accessibility features to ensure disabled persons are able to access and enjoy the structure.

As part of its responsibility for enforcing the California Building Code, the City's building department is required to enforce these accessibility requirements. Under the Health and Safety Code and the Building Code, the building department's decisions in these situations can be appealed. The Health and Safety Code requires that the board have five members composed of the following: two members with physical disabilities, two members with construction experience and one member from the general public. These members would serve four-year terms (initially staggered so that two or three members' term would expire every two years), and the board would meet whenever an appeal was requested. Members could be removed from office prior to the expiration of their term with a majority vote of the City Council.

Five applications were received, including two persons with physical disabilities (Marshall Cova and Randy Lee Pitto), two with construction experience (John Haedrich and George White) and one general member of the public (James Yep). Jackson residency is not a requirement.

Tonight's action is that the City Council consider the applications received for the new Accessibility Board of Appeals and determine Council action. Should appointments be made, City Council should determine which two seats are for two year terms, and which two are four year terms.

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

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

**Moved by Vice-Mayor Gonsalves, and seconded by Councilmember Lewis, and unanimously carried to appoint the following individual to the Accessibility Board of Appeals:**

**Two persons with physical disability:**

- **Randy Lee Pitto to serve a 2 year term**
- **Marshall Cova to serve a 4 year term**

**Two with construction experience:**

- **John Haedrich to serve a 2 year term**
- **George White to serve a 4 year term**

**One general member of the public:**

- **James Yep to serve a 4 year term**

- **James Yep to serve a 4 year term**

#### **10. Planning Commission Vacancies.**

City Manager Daly reported the City Council acknowledge the resignation of Planning Commissioners Joe Assereto and David Butow, and seek applications from interested individuals for the vacant seats. The City received a letter of resignation from Joe Assereto on November 6, 2012. His two year term was scheduled to run through June 2014. Also, on November 8, 2012, the City received a communication from Planning Commissioner David Butow that he was resigning. His (seventh) term expires on June 30, 2013.

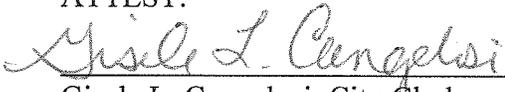
Mayor Crew opened the public discussion. Hearing no comment, Mayor Crew closed the public discussion.

After considerable discussion among the City Council and staff was directed to prepare a vacancy notice for these vacant seats on the Planning Commission and keep the application period open until December 5, 2012. If applications are received by this date the appointment can be made during the City Council meeting on Monday, December 10, 2012.

#### **11. ADJOURNMENT**

Adjourn 8:00 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: November 26, 2012