

Jackson City Council
Minutes
Regular Meeting of May 10, 2010

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

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

COUNCIL MEMBERS ABSENT:

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Sweet, seconded by Councilmember Lewis, and unanimously carried to approve the City Council Agenda dated May 10, 2010 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

Jack Georgette, Jackson, stated with all the problems facing Sutter Creek, he felt it was time to give City Manager Daly congratulations on a great job well done for the City of Jackson.

3. CONSENT CALENDAR.

- a. Approval of Minutes of April 26, 2010 meeting.
- b. Approval of Expenditure Report for April in the amount of \$311,950.15.
- c. Approval of Salary related items for March the amount of \$228,711.11.
- d. Receive Jackson Fire Department Monthly Report for April 2010.
- e. Receive Jackson Police Department Monthly Report for April 2010.
- f. Receive Building Department Monthly Reports for April 2010.
- g. Adopt Resolution Authorizing Recording of Release Agreement with Thomas and Melissa Shirley, 311 Water Street.

Moved by Vice-Chairman Garibaldi, seconded by Councilmember Crew, and unanimously carried to approve as amended except for:

1. **Councilmember Sweet abstained on the approval of Check 232754 in the amount of \$533.97.**
2. **Councilmember Crew abstained on the approval of Check 232731 in the amount of \$673.25.**
3. **Vice-Chairman Garibaldi abstained on the approval of Check 232724 in the amount of \$307.59.**
4. **Councilmember Lewis abstained on the approval Minutes of April 26, 2010 meeting.**

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported the Jackson Fire Department responded to 68 calls last month, 53 medical calls, 6 public assists, 2 fire related, 1 hazardous materials, 6 traffic accidents and 6 percent of the calls were outside of the city limits for automatic aid to the AFD.

Police Chief Morrison reported the department responded to 565 calls for service last month.

City Manager Daly reported on the following items:

1. The Jackson Revitalization Committee will be holding a Special Economic Development Plan Workshop to revisit the Economic Development Strategic Plan on Thursday, May 13.
2. Staff has been working with Dave Stark, Temple Studios, regarding the Summer Concert Series in Downtown Jackson in Petkovich Park the first event is scheduled for June 12 from 5:00 p.m. to 7:00 p.m.
3. The Amador County Recreation Agency's Annual Barbeque scheduled for Thursday, May 20 may be cancelled due to lack of ticket sales.
4. Will be attending the Drug Abuse Resistance Education (D.A.R.E.) Graduation on Tuesday, May 18.

5. COUNCIL REPORTS.

Councilmember Lewis attended the Amador County Solid Waste Management meeting.

Vice-Chairman Garibaldi reported on the following items:

1. The Jackson Revitalization Committee meeting will be held Thursday, May 13.
2. The Amador County Tourism meeting will be held Thursday, May 13.
3. The Amador County Recreation Agency meeting will be held Thursday, May 13.

Councilmember Sweet reported on the following items

1. The Amador Regional Planning Committee meeting held April 28 and there was not a quorum at the meeting. The next meeting is scheduled for Wednesday, May 26th at 7:00 p.m.
2. Attended the Kennedy Mine Foundation meeting.
3. The ACTC's 2010 Regional Transportation Plan (RTP) Stakeholder Roundtable meeting will be held Wednesday, May 12.

Mayor Gonsalves reported on the following items:

1. Requested the City Council participate in the 129th Annual Italian Benevolent Society's Parade on June 6. Fire Chief Morton stated he would be submitting the Jackson Fire Department's parade entry application and would report back at the next meeting.

DISCUSSION CALENDAR.

6. Resolution of Intention to Discontinue the Business Improvement District in Fiscal Year 2010/11.

City Manager Daly report each year since its inception, the Jackson Business Improvement District (BID) has been required to go through a public hearing process that allows businesses within the proposed district boundaries to protest the continuance of the assessment. Over the past 15 years, the level of protest has varied, but never exceeded the 50% required to terminate the district. The BID is reviewed on an annual basis by the BID Advisory Board appointed by the City Council. This year's the BID Board members were Shannon Lowery, Toni Fancher, Stan Lukowicz and Tom Peyton. The Board has recommended eliminating the BID to "provide new opportunities for businesses within the historical district and outlying areas to participate in a single, more encompassing and more effective organization."

Over the past two years, the possibility of expanding or disestablishing the BID has been part of discussions related to expanding the current downtown boundaries of the Historic Jackson Business

Association to create a citywide business association. A steering committee was formed in February and they are working diligently on a business plan for creating this new organization. As part of this planning, they are conducting a survey of Jackson businesses to determine the interest in a new organization, as well as the preferred method of generating funds for the association. Part of the survey included questions about whether businesses believed an assessment district was beneficial or if the organization would be better served with other methods of collecting membership dues, similar to an organization like the Amador County Chamber of Commerce. The steering committee intends to provide information regarding the survey results at the City Council meeting.

The City Attorney prepared a memorandum detailing the procedures for amending, disestablishing and forming a business improvement district. Should the City Council opt to disestablish the current district at this time, the same process is required to establish a new district in the future as it is to renew an existing district. For the disestablishment process, the procedures contained within the Streets and Highways Code require that the resolution of intention be adopted prior to a public hearing to adopt an ordinance that officially disestablishes an existing district. The Code also stipulates that the hearing shall be held not less than 20 or more than 30 days after the adoption of the resolution of intention. Because there are five Mondays in May, there is not a regular City Council meeting that falls within this 20-30 day time period. The City Council has two options:

1. Hold a special meeting on June 7 (28 days after the resolution adoption), or
2. Wait until the May 24, 2010 City Council meeting to officially adopt the resolution of intention.

Maureen Funk, ACT, presented to answer questions of the City Council. She provided preliminary results of the survey that was sent to Jackson businesses to determine the interest in a new organization.

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

Moved by Councilmember Lewis, seconded by Vice-Mayor Garibaldi, and unanimously carried to accept the report from the Business Improvement District (BID) Advisory Board and pass a motion adopting Resolution No. 2010-19, a resolution of intention to disestablish the BID effective July 1, 2010 and scheduling a public hearing on Monday, June 7, 2010 to adopt an ordinance to finalize this action.

7. Policy for Use of Measure E (Transient Occupancy Tax) Funds in FY 2010/11.

City Manager Daly report this is the time of the year when the City has used a request for proposals process to allow outside entities the opportunity to apply for Measure E funding for purposes consistent with the intent of Resolution No. 2002-30. Funding from the additional 2% has averaged just over \$60,000 per year. With a downturn in the transient occupancy tax revenue, the amount available from 2009 revenues is \$56,339, down from \$61,575 in 2008 and the \$64,310 collected in 2007.

For the first three years of this funding, all of the amount generated by Measure E was distributed to tourism related organizations to enhance their services. The past three years, the City Council has set aside approximately half of the funding for use by the City for its own economic development projects. The majority of funds from the first year set aside are currently funding the City's redevelopment feasibility study. Other smaller portions of the set aside have been allocated to projects recommended by the Jackson Revitalization Committee. Staff is requesting direction from the City Council as to

whether a request for proposals should be made available, and if so, how much of the \$56,339 should be allocated for this purpose.

Mayor Gonsalves opened the public discussion. The following individuals stated their concerns regarding Measure E Funds: Pat Hamnan and Maureen Funk. Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

After considerable discussion among the City Council and staff, the following direction was provided to staff:

1. The Request for Proposal process be made available for the use of \$30,000 of the Measure E (Transient Occupancy Tax) Funds for FY 2010/11.
2. The remaining \$26,339 would be set aside for Economic Development projects.

8. Contract Addendum with Carleton Engineering for Sutter Street Extension Project Environmental Services.

City Manager reported the City and the Amador County Transportation Commission (ACTC) are working together on the Sutter Street Extension Project. The path of travel of this connector route is across property previously used by the Argonaut Mining Company as a tailings storage area and previous studies have identified elevated levels of arsenic, an element commonly associated with mine waste deposits.

The City entered into a contract with Carleton Engineering in 2006 to assist with similar services related to the acquisition of the Oro De Amador property. Mark Montgomery is the project manager for all projects conducted to date in Jackson and this experience is important to the selection of Carleton Engineering for this project. Dr. Montgomery has an excellent working relationship with the California Department of Toxic Substances Control (DTSC) and has developed an outline of the recommended process for creating a mitigation program on this site that will be acceptable to DTSC. This outline is provided in the proposed "Additional Work Authorization" agreement provided. Based on this firm's experience with soils analysis, remediation planning for public and private projects in the Jackson area, and their positive working relationship with DTSC, staff recommends approval of this work authorization. Work will proceed immediately upon approval.

Moved by Councilmember Sweet, seconded by Councilmember Lewis, and unanimously carried to pass a motion authorizing the City Manager to execute a work authorization agreement with Carleton Engineering for specific environmental services necessary for the Sutter Street Extension project in an amount not to exceed \$90,000.

9. ADJOURNMENT.

Adjourn: 7:51 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: May 24, 2010