Jackson City Council
Minutes
Regular Meeting of May 26, 2015

Patrick Crew, Mayor

Connie Gonsalves
Marilyn Lewis
Keith Sweet, Vice-Mayor

Michael Daly, City Manager
Kara Ueda, 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.

2. APPROVAL OF AGENDA.

Moved by Councilmember Lewis, seconded by Councilmember Gonsalves, and carried by a 5 to 0 vote to approve the City Council Agenda dated May 26, 2015 as presented. Motion passed with the following vote:

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

3. PUBLIC MATTERS NOT ON THE AGENDA.

Marie McMurtry, Jackson, was present to present a formal complaint regarding 335 N. Main. She has had a difficult time getting the Police and Building Departments to resolve the situation. She provided her paper work for the record. City Manager Daly stated he would work with the Police and Building Departments to get this matter resolved.

Casey Emerson, Jackson, stated this is a very serious matter.

Mayor Crew stated this matter was noted and will be taken into consideration by staff.

4. CONSENT CALENDAR.

a. Approval of Minutes of May 11, 2015.
b. Approval of Expenditure Report for the period of May the amount of $141,520.57.
c. Approve Resolution for No Parking at Kyle Williams SR 49/88 Building.
d. Approve Special Event – Concert by Twin Rivers Music Fund at Detert Park, July 3, 2015.

Moved by Councilmember Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to approve the Consent Calendar dated May 26, 2015 as amended except for. Motion passed with the following vote:

AYE S: Crew, Garibaldi, Gonsalves, Lewis, Sweet
NOES: None
ABSENT: None
ABSTAIN: None

Vice-Mayor Sweet abstained on the approval of Check 3317 in the amount of $141.95.

5. ADMINISTRATIVE REPORTS.
Attorney Kara Ueda was substituting for City Attorney Josh Nelson.

City Manager Daly reported on the following:
1. 2015/2016 Preliminary Budget will be on the next agenda.

6. COUNCIL REPORTS.
Councilmember Garibaldi reported has been assisting with presentations to other cities regarding the ACRA Masterplan Update.

Councilmember Gonsalves reported on the following:
1. Attended the Mother Lode Cruise Car Show & Wine Tasting, May 16, 2015. Great turnout this year with the wine and craft addition.

Vice-Mayor Sweet reported he spoke with Jack Tressler, Quik Serve Gas regarding the possible use of the retaining wall on the property for a mural. With the consensus of the City Council he would move forward on the organizing this project.

Mayor Crew reported on the following:
1. Attended the Air Quality Control Board meeting.
2. Attended the LAFCO meeting.

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. Budget Funding Request from Amador County Recreation Agency for Fiscal Year 2015/16.
City Manager Daly reported at the May 11, 2015, City Council meeting, the Executive Director of ACRA presented the annual report for this joint powers authority organization and information about an updated mitigation fee study. The annual report detailed the accomplishments of ACRA during the past fiscal year and its services to the residents in the City of Jackson. The provided letter provides additional information, and requests the City's contribution of five dollars per resident to maintain the services provided. This is the amount that has been requested in the past, and last year the City contributed the full amount requested. This year, with 4,586 residents, the City's contribution would be $22,930. This is General Fund expenditure and is budgeted in the City Council's budget.

Carolyn Fregulia, ACRA Executive Director, was present to answer questions of the City Council. She stated ACRA greatly appreciates the City Council support.

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

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

Moved by Vice-Mayor Sweet, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to direct the City Manager to include the requested funding from the Amador County Recreation Agency $22,930, in the Fiscal Year 2015/16 City Budget. Motion passed with the following vote:

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

7. Water Rate Increase Consideration.

City Manager Daly reported tonight's action is that the City Council review the financial implications of the reduction in water revenues resulting from conservation, and the increases being adopted by the City's water supplier, the Amador Water Agency. The provided table shows the impact of AWA's proposed increase on the City's cost of purchasing water. The 34% charge on usage, and 2.5% increase on usage and the service charge, results in an annual increase of approximately $190,000. The City currently spends about $800,000 a year to purchase water from AWA. The projected total water purchase percentage increase is 23.6%. The City's conservative fiscal management of the water system and an appropriate level of capital improvement projects have sustained a healthy reserve in the Water Fund. The current reserve is just over $850,000, which includes "cash with fiscal agent" as required by the bond holders. In addition, next year's Water Department budget is likely to have minimal capital improvement projects and the preliminary expenditure budget is $1,455, 180 not including the AWA increases. Revenues for FY 2014-15 are projected at $1,650,000. Another advantage to holding off on any increase would be the potential change in the San Juan Capistrano ruling and its impact on other water systems. Staff endorses the two tier system as a positive way to reduce the water charges for customers who use less water. Though the City only has two tiers compared with three AWA tiers or four tiers in San Juan Capistrano, it does help those who use less water keep their bills as low as possible

If the City Council would like to pursue an increase, a rate analysis showing the impact of various increases can be provided at the next meeting, allowing time to implement a rate increase on August 1 with the proper Proposition 218 noticing.

Mayor Crew opened the public discussion. The following individual spoke about the Water Rate Increase: Ken Berry, Casey Emerson and Paul Molinelli Sr. Hearing no further comments from the public, Mayor Crew closed the public discussion.

Ken Berry submitted for the record a letter dated May 26, 2015 regarding Water Rate Increase.

After considerable discussion among the City Council and staff, it was the consensus of the City Council to direct staff to contact Amador Water Agency to request they make a presentation regarding their proposed increase at the next meeting.

8. Wastewater Engineer Interview Committee.

City Manager Daly reported the City of Jackson is presently soliciting a Request for Qualifications (RFQ) from qualified engineering firms to serve as the City's wastewater engineer and to design the City of Jackson Wastewater Treatment Plant Improvements that are being required to meet the NPDES Permit requirements included in Order No. R5-2013-0146-01. The RFQ was issued in mid-May and responses

are due back no later than June 4, 2015. Staff is recommending that the City Council select the committee members who will be recommending the firm for City Council selection. In order to ensure a broad perspective, the following representatives are recommended to sit on an evaluation committee. One City Councilmember, the City Manager, the Chief Wastewater Plant Operator Neuschmid, City Engineer Ghio and one member of the public. It is recommended that a member of the Ratepayers Protection Alliance be appointed to the committee as the public member. This committee will begin meeting immediately after the June 4th RFQ submittal deadline and the goal will be to provide a recommendation to the City Council for selection.

City Attorney Ueda recommended the Council appoint an Ad Hoc Committee of two Councilmembers to serve on the Wastewater Engineer Interview Committee.

City Manager Daly reiterated the committee members will evaluate the Request for Qualification from qualified engineering firms and will recommend the firm for City Council selection at a regular meeting which is open to the public.

Mayor Crew opened the public discussion. The following individual spoke about the Wastewater Engineer Interview Committee and the Brown Act: Ken Berry. Hearing no further comments from the public, Mayor Crew closed the public discussion.

Vice-Mayor Sweet and Councilmember Gonsalves volunteered to serve on this committee. No further action was taken.

9. Resolution Approving Submittal of an Active Transportation Program (ATP) Grant for Creekwalk Project.

City Manager Daly reported he has been working with Intern Patrick Cannon on the Active Transportation Program (ATP) Grant for Creekwalk Project. The proposed project has been in the works for several years and was submitted originally to the Proposition 84 grant program, with assistance from the Amador County Recreation Agency. It was not funded, but much of the important groundwork for this application was assembled during the grant process. Intern Cannon is present to provide more information to clarify the project to the City Council.

Intern Patrick Cannon gave a brief description of the creekwalk project along Jackson Creek. Caltrans recently released a new grant program titled the Active Transportation Program. The goal of this program is: "increase the number of bicycling and walking trips in California improve safety and mobility, help achieve greenhouse gas reductions." The proposed project will accomplish these goals and be an attraction for residents and visitor alike. The Creekwalk Project would link the parking lot near Mel and Faye's Diner, also known as the Busi Municipal Parking Lot, with the southern end of Main Street near the National Hotel. It will provide a great opportunity for exercise and appreciation of the creek areas in the City of Jackson. ACTC will be submitting the application pending additional letters of support.

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

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

Moved by Councilmember Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to adopt Resolution No. 2015-12, approving the submittal of an

application for the Jackson Creekwalk project for funding to the Caltrans Active Transportation Program. Motion passed with the following vote:

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

10. Water Conservation and Enforcement Ordinance. Second reading and adoption.
City Manager Daly at the May 11, 2015, the City Council reviewed the Ordinance No. 684 prepared by the City Attorney establishing water conservation and enforcement procedure. The Council approved the ordinance and conducted the first reading as required.

Mayor Crew opened the public discussion. Thornton Consolo spoke about the Water Conservation and Enforcement Ordinance. Hearing no further comments from the public, Mayor Crew 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 Gonsalves, and carried by a 5 to 0 vote to approve the second reading and adoption of Ordinance No. 684, the City's water conservation and enforcement ordinance. Motion passed with the following vote:

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

11. Downtown Parking Time Limit Ordinance.
City Manager Daly at the May 11, 2015, City Council meeting, this topic was discussed and the first reading of the ordinance was approved. Two modifications were approved, one to increase the number of 15 minute spaces in the El Dorado parking lot, and the other to eliminate the urgency ordinance paragraph that was mistakenly included. The Council approved the ordinance and conducted the first reading as required. Signs have been order for time limitation.

Mayor Crew opened the public discussion. The following individual spoke about the Downtown Parking Time Limit Ordinance: Marie McMurtry and Casey Emerson. Hearing no further comments from the public, Mayor Crew closed the public discussion.

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

Moved by Councilmember Garibaldi, seconded by Councilmember Gonsalves, and carried by a 4 to 1 (Sweet dissenting) vote to approve the second reading and adoption of Ordinance No. 685. Motion passed with the following vote:

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

ABSTAIN: None

12. Planning Commission, Cemetery Committee and Design Review Committee – Notice of Application Period.

City Manager Daly reported the Planning Commission and Cemetery Committee terms are two years long and expire on June 30. Both advisory bodies have alternating years of two and three seats expiring to maintain continuity. This year, the seats of Planning Commissioners Walt Hoeser and Robert Stimpson will expire. The Cemetery Committee terms of Steve McLean and Robert Stimpson also expire on June 30. Each of these Commissioners and Committee members received notice that their terms are expiring and they are eligible for another term. In addition, due to the passing of Errol Esbit, a vacancy exists on the Design Review Committee. This seat is intended to be occupied by an architect or designer. There is no set time period to the term of the Design Review Committee members. It is recommended that the City accept applications for these seats until Wednesday, June 17, in order to allow time for City Council appointment at the regular meeting on June 22, 2015.

13. ADJOURNMENT

Adjourn 8:36 p.m.

ATTEST:

Gisele L. Wurzburger

Gisele L. Wurzburger, City Clerk

Date Approved: June 8, 2015