Jackson City Council
Minutes
Regular Meeting of November 9, 2015

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

Michael Daly, City Manager
Joshua Nelson, City Attorney
Susan Peters, City Planner
Scott Morrison, Police Chief
Gisele Wurzburger, City Clerk

COUNCIL MEMBERS ABSENT:

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Lewis, seconded by Vice-Mayor Sweet, and carried by a 5 to 0 vote to approve the City Council Agenda dated November 9, 2015 as presented. Motion passed with the following vote:

AYES: Crew, Gonsalves, Garibaldi, 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 26, 2015.
b. Approval of Expenditure Report for the period of November in the amount of $ 204,827.59.
c. Approval of Salary related items for October in the amount of $272,641.90.
d. Accept August 2015 Treasurer's Report and Sales Tax Report.
e. Receive Jackson Fire Department Monthly Report for October 2015.
f. Receive Jackson Police Department Monthly Report for October 2015.
g. Receive Building Department Monthly Report for October 2015.
h. Approval of Special Event – Operation Care Color Madness Run, February 6, 2016.
i. Resolution Approving a Budget Amendment for LED Lighting in Civic Center.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote to approve the Consent Calendar dated November 9, 2015 as presented except for. Motion passed with the following vote:

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

Mayor Crew abstained on the approval of Check 4079 in the amount of $3800.11.
Councilmember Gonsalves abstained from the approval of Minutes of October 26, 2015.

4. ADMINISTRATIVE REPORTS.

Jackson Fire Department responded to 130 calls last month, 83 medical calls, 25 public assists, 10 fire related, 2 hazardous materials, 10 traffic accidents and 23 of the calls or 17 percent were outside of the city limits for automatic aid to the AFPD.

Police Chief Morrison reported on the following:

1. The Department responded to 539 calls for service for the month of October.
2. Attended Calaveras Sheriff Gary Kuntz's funeral.

City Planner Peters reported the Planning Commission at their November 16 meeting will have the following two items on their agenda:

1. Ordinance of the City Of Jackson Amending Sections 5.04.040, 17.06.404, and 17.220.020 of the Municipal Code Regarding Marijuana Cultivation and Dispensaries..
2. Annexation, Pre-Zone and General Plan Amendment City of Jackson Waste Treatment Plant (APN 044-180-007).

City Attorney Nelson reported the State Water Board has issued their first fines in history for failing to meet state-mandated conservation orders, assessing penalties to the City of Beverly Hill and three other water districts.

City Manager Daly reported on the following:

1. The Annexation, Pre-Zone, General Plan Amendment Jackson Rancheria making application to LAFCO was approved and now there tax transfer negations will be held December 17.
2. The 6th Annual Veterans' Day parade will be held Wednesday, November 11.
3. City Offices will be closed Wednesday for Veterans' Day and Friday for Furlough Friday.
4. Staff received the West Yost Associates cost estimate for the project and will be meeting on Monday. This information has been provided to RPA and will be on the next agenda.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported Amador County Recreation Agency has been updating their master plan and should be submitted for consideration in December.

Councilmember Gonsalves reported she attended the Amador County of Tourism meeting regarding preliminary stage for the formation of a 2 percent room tax bid district.

Mayor Crew reported he attended the Grand Opening of Lucas Deli on Main Street.

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. Updated to the City's Investment Strategy.

City Manager Daly reported at the last meeting the Investment Policy for the City was amended. Staff

is recommending the approval of the City Council to transfer $2.5 million from LAIF to CalTRUST for the initial deposit of the account. With this transfer the interest income for the City will increase from .36% to .88% (most current published rates) on the balance of the account. The recommended account would be CalTRUST Medium Term Fund. This transfer would not pose additional risk to the City.

LAIF - 1 year interest at current rate on $2.5 million = $9,000.00.
CalTRUST Medium Term Fund - 1 year interest at current rate on $2.5 million = $22,000.00.

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 Councilmember Lewis, seconded by Councilmember Garibaldi and carried by a 5 to 0 vote to approve the initial transfer of $2.5 million to fund the new CalTRUST account. Motion passed with the following vote:

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

7. Water Conservation Update.
City Manager Daly reported this item was information only. He reported the City has been closely following the water conservation rates each month to evaluate the City's compliance with the Governor's order for a 25% conservation rate, and to track the likely impact of the conservation on the City's water budget. As of now, residential water customers in the City have conserved an average of 34.2% for the period of June 2015 through October 2015, compared with the same months in 2013. This is a significant level of conservation and well above the 25% goal set by the Governor. One of the main concerns when the FY 2015-16 budget was adopted was the impact of conservation on water revenues. For the City of Jackson, it was two fold, as not only were revenues expected to decline, but the Amador Water Agency increase of 34% was also expected to significantly increase to cost of purchasing water. Fortunately, the AWA increase did not go into effect until mid-September, and the purchase of less water has kept the expense side lower than anticipated. For the first four months of the fiscal year, the City's water expenses have dropped by approximately $31,500 despite the AWA increase. City revenues have declined by $103,500. The original budget projection was for the water cost to increase by $72,000 over last fiscal year's budget, with revenues declining by about $200,000 from last year's actual, and $325,000 from the budgeted amount in FY 14-15. At this point, it appears that the City's projections are within the actual amounts occurring and these figures will continue to be watched carefully.

No action was taken.

8. Façade Improvement Program – Request for Funding at 134, 138 and 140 Main Street.
City Manager gave a brief description of the Façade Improvement Program.

City Planner Peters reported on July 7, 2015, the Design Review Committee approved façade improvements to 134, 138 & 140 Main Street. Exterior improvements included removal of the stucco on the ground floor of the building to expose the brick and painting the remainder of the building,

installation of balcony posts and new decorative brackets across the front of the entire building, and replacement of the window and door to the northernmost storefront. On September 1, 2015 the Design Review Committee reviewed and approved an amendment to the façade plan that included by-folding doors on the northernmost storefront (140 Main Street) in place of a window. Cost of the improvements were estimated to be approximately $30,000, however, it appears that the final cost will be closer to $35,000. The $1,500 amount would be the regular eligible amount for a façade are benefitting from these improvements the Cazadd's are requesting $4,500. There are sufficient funds in the Measure E account to accommodate the Cazadd's request.

Mayor Crew opened the public discussion. William Easley spoke regarding the Façade Improvement Program Request for Funding at 134, 138 and 140 Main Street. 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 Vice-Mayor Sweet and carried by a 5 to 0 vote to approve the request submitted by Jason & Breanna Cazadd for additional funding from the facade improvement program for improvements made to their building at 134, 138 & 140 Main Street in the amount of $4,500. Motion passed with the following vote:

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

9. Pavement Management Plan.

City Manager Daly reported this item was information only. He reported the Amador County Transportation Agency and NCE, engineering consultants provided the City with the Pavement Management Program Update Report which outlined the pavement network improve measures. A pavement condition index (PCI) was established as a metric for measuring the quality of street conditions:

- PCI of 0 - 25 showing very poor/failing conditions
- PCI of 25 - 50 showing poor conditions
- PCI of 50 - 70 showing fair conditions
- PCI of 70 - 100 showing good conditions

Currently, 36% of the entire City's streets are in good condition; while 45.9% fall in either the poor or very poor/failing categories. The report also details proposed maintenance measures and their respective budgetary impacts:

Scenario 1 - Assuming a totally unconstrained budget, the cost to bring all City streets to PCI's of 70 would currently cost $12.8 million.

Scenario 2 - If the City wanted to maintain all City streets at a PCI of 56, this would currently cost $9 million.

Scenario 3a - If the City wanted to improve total PCI to 75 by 2024, this would cost a total of $13.8 million over the course of nine years.

Scenario 3b - If the City wanted to improve total PCI to 75 by 2034, this would cost $14.5 million over the course of nineteen years.

Obviously, the dollar amounts identified in this report are beyond the budgetary capabilities of the City at this time. The Amador County Transportation Commission is looking at possible revenue sources for these types of projects, including a possible ballot measure on the November, 2016, election. Other transportation funding may be available from ACTC later this fiscal year, however, the amount is expected to be only in the $30,000 range. More information will be brought forward to the City Council regarding possible pavement revenue sources as they develop.

Mayor Crew opened the public discussion. William Easley spoke regarding the Pavement Management Plan. Hearing no further comments from the public, Mayor Crew closed the public discussion.

No action was taken.

10. Code Enforcement Ordinance Update.
City Manager Daly reported the City has been working on code enforcement issues to enhance the neighborhoods in Jackson, as well as to protect public and private property. After a review of the current provisions in the Municipal Code, staff requested the City Attorney to update this code section to allow for better enforcement of code issues. The ordinance provides specific timelines for responding to abatement procedures and the issuance of final orders for clean-up or removal of hazards associated with the code enforcement actions. Liabilities for the costs are also included within the ordinance.

City Attorney Nelson reported key areas of the updates include a better process for nuisance abatement issues and recovery of legal costs associated with this action. Better definitions were created for nuisances and property ownership responsibilities were also identified.

Councilmember Garibaldi requested staff provide a copy of the existing ordinance for comparison. City Manager Daly stated it would be provided at the next meeting.

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 Councilmember Lewis, seconded by Councilmember Gonsalves and carried by a 5 to 0 vote conduct the first reading of Ordinance No. 688 Code Enforcement Update. Motion passed with the following vote:

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

11. Sewer Collection System Improvements to Address Inflow and Infiltration Issues.
City Manager Daly reported one of the issues related to the City's wastewater system is the amount of "inflow and infiltration," also known as I & I, that comes into the system during the rainy season. The levels of I & I can increase the amount of flows into the plant above 3.0 million gallons per day, which

is above the amount allowed in the City's NPDES permit. The City's Public Works Department is responsible for operating the wastewater collection system and is constantly looking for obvious areas where water that should not be entering the collection system finds cracks or holes in the pipes.

Unfortunately, most of the sewer collection system in the City eventually enters pipes that are within the three forks of Jackson Creek, complicating the identification and repair of this issue. A key part of the current capacity issue is the I & I that enters the system during periods of rain. The City budgeted $70,000 for projects related to this problem in FY 2015-16 and is working to locate and fix I & I issues creating this problem. In addition, two grant sources are being pursued at this time. One is a $30,000 - $50,000 grant from the EPA (see attached e-mail and program information), and the other is a grant from the State of California Clean Water Revolving Fund for repair of areas where infiltration is discovered. The City is working to obtain funding from both sources. The I & I identification and repair has become a higher priority for the Public Works Department given the permit issues the City is facing, and work will continue to be done to accomplish this goal of reducing the I & I flows.

Mayor Crew opened the public discussion. The following individual spoke regarding the Sewer Collection System Improvements to Address Inflow and Infiltration Issues: Ken Berry and Casey Emerson. Hearing no further comments from the public, Mayor Crew closed the public discussion.

No action taken.

12. Pre-Zone for Rancheria Annexation.

City Planner Peters reported September 28, 2015 meeting the City Council, on recommendation of the Planning Commission, adopted Resolution No. 2015-26 making application to the Amador County Local Agency Formation Commission (LAFCO) for annexation of the three parcels totaling approximately 367 acres along French Bar Road, APN 044-180- 034, 035 & 036. The City Council considered the prezone and general plan designation of Residential Suburban with a Planned Development Overlay of the properties to be annexed at that meeting, however, no action was taken to formally prezone the properties. Roseanne Chamberlain, LAFCO Executive Officer, has requested that the Council consider formal prezoning of the properties prior to the scheduled November 19, 2015 LAFCO hearing, likely to be continued to December 17, 2015. As part of the annexation process for the Jackson Rancheria Development Corporation's properties on French Bar Road, the Local Agency Formation Commission requires the following actions from the City Council:

1. Adopt Resolution No. 2015-30 approving a General Plan Amendment; and
2. Approve Ordinance No. 687 Prezoning the properties to be annexed.

Mayor Crew opened the public discussion. The following individual spoke regarding the Pre-Zone for Rancheria Annexation: Cecily Smith and Ken Berry. 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 5 to 0 vote to adopt Resolution No. 2015-30 approving a General Plan Amendment. Motion passed with the following vote:

AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet

NOES: None
ABSENT: None
ABSTAIN: None

Moved by Councilmember Garibaldi, seconded by Councilmember Garibaldi and carried by a 5 to 0 vote to adopt and the first reading of Ordinance No. 687 Prezoning Properties to be Annexed into the City. Motion passed with the following vote:

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

Shirley Danjowski, inquired if the sound system had been fixed as the audience still cannot hear what is being discussed.

13. CLOSED SESSION

a. Conference with Real Property Negotiator. (Pursuant to Government Code Section 54956.8). Parking Lot across from 240 N. Main Street, Jackson, APNs 020-191-004 and 020-191-005, Chaquica and Rodgers Family Trusts. Agency Negotiator: Michael Daly, City Manager.
b. Conference with Real Property Negotiator. (Pursuant to Government Code Section 54956.8). Oro De Amador Property, approx. 30 Acres, Jackson, APN 020-070-031, Joseph Chirco. Agency Negotiator: Michael Daly, City Manager.

Vice-Mayor Sweet reconvened to Open Session at 8:41 p.m. and announced no reportable action taken.

14. ADJOURNMENT

Adjourn 8:42 p.m.

ATTEST:

Gisele L. Wurzburger

Gisele L. Wurzburger, City Clerk

Date Approved: November 23, 2015