

Jackson City Council
Minutes
Regular Meeting of December 12, 2011

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

Michael Daly, City Manager
Marc Crain, New Fire Chief
Gisele Cangelosi, 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 and seconded by Councilmember Garibaldi, and unanimously carried to approve the City Council Agenda dated December 12, 2011 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

Jeannie Crew, Jackson, congratulated Patrick Crew for being appointed as the Mayor of Jackson. She thanked the Jackson Police Department for their assistance with Lady of Guadalupe precession on Main Street.

3. CONSENT CALENDAR.

- a. Approval of Minutes of November 28, 2011 meeting.
- b. Approval of Expenditure Report for December in the amount of \$ 178,719.06.
- c. Approval of Salary related items for October the amount of \$265,771.58.
- d. Accept October 2011 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for November 2011.
- f. Receive Jackson Fire Department Monthly Report for November 2011.
- g. Receive Building Department Monthly Report for November 2011.
- h. Approve Notice of Completion – Marcucci Lane Slab Bridge.
- i. Approval of 2012 City Council meeting calendar.

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

- 1. Mayor Crew abstained on the approval of Check 235276 in the amount of \$2,275.73.**
- 2. Vice-Mayor Sweet abstained on the approval of Check 235307 in the amount of \$533.97.**

5. ADMINISTRATIVE REPORTS.

Fire Chief Crain also reported on the following:

1. The Department responded to 83 calls last month, 58 medical calls, 8 public assists, 9 fire related, 2 hazardous materials, 6 traffic accidents and 23 of the calls or 28 percent were outside of the city limits for automatic aid to the AFPD.

2. The two day class on Structural Firefighting Command & Tactics Refresher course has been rescheduled to January 21 and 22 at 208 Court Street. The Department has coordinated with Amador County and several other fire agencies to perform a fire training burn at that location on January 29 for about 4 or 5 hours. The department will notify the surrounding neighborhood.
3. Staff has completed the remodel of station 1.
4. Santa Patrol will include a food drive collection for the Interfaith Food Bank.
5. Provided the seasonal fire safety and flu reminder.

City Manager Daly reported on the following:

1. The two Automated External Defibrillator units (AED) donated by American Legion Ambulance Service, for the Civic Center has been delivered. These units will be mounted in wall cabinets in the Civic Center and City Hall lobby. There will be a four hour training class for the AED and CPR for City staff in the near future.
2. Staff has been looking into the possibility installing an electric vehicle charging station in City Parking Garage. Public Works Maintenance Man Scott Hayes looking into systems requirements and needs.
3. He and City Planner Peters have been working on refining the informational brochure and letter that will be mailed to all businesses in Jackson regarding the sign ordinance issues. Three workshops have been scheduled, Tuesday, January 3 at 5:30 p.m. at the JBCA meeting and the other two will be held at City Hall, Wednesday, January 4 at 6:30 p.m. and Friday, January 6 at 9:00 a.m. The workshop will help business owners understand the current and proposed regulations, answer questions and get feedback on the proposed changes.

City Clerk Cangelosi reported she was working on the Mayor's display in the Civic Center which has not been updated since 1999. During the past 106 years there have been 35 Councilmembers appointed to serve as Mayor and 7 of those Mayors have served multiple terms. This project is intended to preserve Jackson's civic history and honor Jackson's Mayors from May 1906 through December 2011. In order to accomplish this undertaking, staff will have to identify which information and or pictures that need to be updated and requests the City Council's assistance in obtaining information necessary to complete this project.

6. COUNCIL REPORTS.

Councilmember Gonsalves attended the Amador Council of Tourism and Jackson Revitalization joint meeting held at Add Art.

Councilmember Sweet attended the Amador Council of Tourism and Jackson Revitalization joint meeting held at Add Art.

Councilmember Crew reported on the following:

1. Attended the Café De Coco Grand Opening ribbon cutting ceremony held Wednesday, November 30.
2. Attended the LAFCO meeting.

DISCUSSION CALENDAR.

6. Support for Legislation to Clean-up the Property Tax Shortfall for the Triple Flip/VLF Swap Programs Enacted by the State - AB 1191 (Huber).

City Manager Daly report in 1992, the State of California began its intervention into local property tax funding by shifting part of the burden of educational funding to local governments through the

creation of the property tax Education Augmentation Revenue Fund (ERAF). In 2004, the State approved economic recovery bonds that swapped a portion (0.25%) of local sales tax for property tax and reduced the Vehicle License Fee (VLF) with the understanding that local governments would receive property tax in-lieu of these funds. A loophole in the Revenue and Taxation code relating to the classification of local school district and use of ERAF to reimburse local agencies has broken the promise by the State Legislature to fully reimburse the County and cities in Amador County, including the City of Jackson, for these important revenue sources.

When the state enacted the Triple flip and the VLF Swap, an undisputable condition of this maneuver to allow repayment of the economic recovery bonds and to reduce the VLF was that cities and counties would continue to receive funding as if the full sales tax and VLF were still in place. Due to economic conditions unforeseen by either the state or local governments at the time, 100% of the school districts within Amador and Mono Counties have become "basic aid" districts. This eliminated the ability to backfill cities and counties for the loss of local sales tax or VLF, thereby leaving the City of Jackson and other local governments in these counties with no local source to fund either the Triple Flip or the VLF Swap.

In early 2011, the City was notified by County Auditor, Joe Lowe, that a regular portion of the property tax revenue distributed to county government and the cities within Amador County was being shifted to the Amador County Unified School District (ACUSD) due to a change in the classification of the District as "basic aid" to "revenue limit" from one year to the next.

The classification of ACUSD as a "basic aid" district in FY 2011-12 resulted in a loss of \$1.524 million in property tax revenues that would normally be used to fund the Triple Flip and VLF swap for Amador County and the cities of Amador City, Ione, Jackson, Plymouth and Sutter Creek. The net impact on the city of Jackson was a revenue loss of \$96,815.61. A similar loss in revenue was assumed in the City's FY 2011-12 general fund budget. Shortly after this unintended and detrimental funding issue occurred, local state legislative offices were contacted to alert them to this problem. Assemblywoman Huber has drafted legislation in the form of Assembly Bill 1191 to address this problem beginning with FY 2012-13. A copy of the proposed legislation was provided.

Moved by Councilmember Lewis, seconded by Vice-Mayor Gonsalves, and unanimously carried to adopt Resolution No. 2011-36, authorizing the Mayor to send letters of support for Assembly Bill 1191 (Huber), legislation proposed to rectify the property tax funding loss unique to local government jurisdictions in Amador and Mono Counties.

7. Support for Legislation to Amend the Federal Water Pollution Control Act for Publicly Owned Wastewater Treatment Plants - HR 3544 (McClintock).

City Manager Daly reported Congressman Tom McClintock has introduced federal legislation to protect publicly owned wastewater treatment plants from some of the costly legal and permit compliance requirements currently impacting the cost of providing wastewater services to ratepayers.

The legislation, H.R. 3544, provides several changes to the Federal Water Pollution Control Act intended to "restore some form of rationality back into this law." The sections in this legislation cover areas intended to protect local agencies from excessive litigation, extend the length of permits from five years to fifteen years and requires a cost benefit analysis for any new or increased treatment requirement associated with a permit.

Tonight's action was that the City Council pass a motion authorizing the Mayor to send a letter of support for legislation introduced by Congressman Tom McClintock *(HR3544) to limit citizen lawsuits against public owned treatment works, lengthen the time period of permits and require cost benefit analysis for any increased treatment requirement by the Environmental Protection Agency or a State before it is enacted.

After considerable discussion the City Council tabled this item and no action was taken.

8. Committee Assignments. Review assignments for consideration of appointment at first meeting in January.

Mayor Crew reported each year the Mayor reviews appointments and makes assignments to the numerous committees and liaison roles required of City Council members. The City Council was provided a copy the roster of all assignments detailing the current appointed members and meeting times of the various committees and organizations.

After considerable discussion the Council Committee assignments will be appointed at the first meeting in January.

ADJOURNMENT.

Adjourn: 7: 44 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: January 23, 2012