

Jackson City Council
Minutes
Regular Meeting of August 8, 2016

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

Michael Daly, City Manager
Mark Morton, Fire Chief
Gisele Wurzbarger, City Clerk

COUNCILMEMBERS ABSENT:

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

1. APPROVAL OF AGENDA.

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve the City Council Agenda dated August 8, 2016 as presented. Motion passed with the following vote:

AYES: Gonsalves, Crew, 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 July 25, 2016 meeting.
- b. Approval of Expenditure Report for the period of July the amount of \$198,690.89.
- c. Approval of Salary related items for July in the amount of \$594,668.99.
- d. Accept May 2016 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Fire Department Monthly Report for July 2016.
- f. Receive Building Department Monthly Report for July 2016.
- g. Resolution for Grant from California Department of Forestry.
- h. Amend Critchfield Easement Abandonment – 12880 Murietta Lane.

Moved by Councilmember Crew, seconded by Vice-Mayor Gonsalves, and carried by a 5 to 0 vote to approve the Consent Calendar dated August 8, 2016 as presented except for. Motion passed with the following vote:

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

Mayor Sweet abstained on the approval of Check 5599 in the amount of \$606.57.

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported on the following:

1. Jackson Fire Department responded to 125 calls last month, 86 medical calls, 19 public assists, 10 fire related, 1 hazardous materials, 8 traffic accidents and 35 of the calls or 28 percent were outside of the city limits for automatic aid to the AFPD.
2. Jackson Fire Department Fundraiser Dinner Dance will be held Saturday, September 17.
3. Attended the Fire Chiefs meeting and the continued their discussion on consolidation...

City Manager Daly reported on the following:

1. California Department of Toxic Substance Control cleanup Voluntary Cleanup Sutter Street and Argonaut Dam testing is almost finished.
2. Sutter Street signalization should be completed by the end of the week.
3. French Bar Road Signalization will begin in the near future.
4. Wastewater Collection Technician recruitment is open until August 15.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported he would be assisting Carol Fregulia, ACRA Executive Director with the County Recreation Agency Master Plan presentations.

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. Transient Occupancy Tax Audit.

City Manager Daly reported earlier this year a contract was awarded to Cathy Castillo, CPA, to perform an audit of the facilities subject to the City's transient occupancy tax (TOT). There are a total of five lodging businesses in Jackson and they were all visited to examine their books for paying this tax in calendar year 2015. The year of 2015 was the best year yet for TOT with over \$420,000 collected. Due to the amount of revenue being received and the potential misinterpretation of the requirements for lodging facilities to calculate this tax, an audit of these funds was budgeted by the City. The audit report contains six recommendations and the City intends to complete implementation of all recommendations and the first reading of Ordinance No. 696, amending Chapter 3.24 of the Municipal Code regarding transient occupancy tax.

Cathy Castillo, CPA and staff were present to provide the Transient Occupancy Tax Audit and the suggested implementation of the six recommendations outlined in the report.

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

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

Moved by Councilmember Crew, seconded by Vice-Mayor Gonsalves, and carried by a 5 to 0 vote to accept the audit performed by Cathy Castillo, CPA. Motion passed

with the following vote:

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

It was the consensus of the City Council to defer the first reading of Ordinance No. 696, and staff was directed to obtain additional information on the governmental exemptions collected by other Amador County lodging businesses. Cathy Castillo was provided a copy of the proposed Ordinance for input.

7. Plans and Specifications for the Wastewater Treatment Plant Improvement Project and Authorization to Bid.

City Manager Daly reported the City's need for a wastewater treatment and disposal project was created by Waste Discharge Requirements adopted by the Regional Water Board in 2013 in Order No. RS-2013-0146-01. On July 13, 2015 the City Council approved an Agreement with West Yost Associates for engineering services for design of the wastewater treatment plant improvements in the amount of \$894,374. West Yost and City staff have been working diligently to design the improvements and complete the plans and specifications for the Wastewater Treatment Plant Improvements Project. The plans and specifications were completed on July 29, 2016 in accordance with the revised scheduled defined in Regional Board Time Schedule Order R5- 2015-0003-01.

In consultation with West Yost, it was determined that the following steps be taken to define minimum construction contractor qualifications for the project to improve the likelihood of project success and to minimize the potential for contract award delays.

- Specific language has been incorporated that establishes minimum project experience requirements for the General Contractor, Electrical Subcontractor(s) and Electrical System Integrator(s) submitting bids for the project. The proposed requirements are set forth in Exhibit A, attached.
- In the event a prospective Bidder, Subcontractor and/or Supplier disagrees with the required minimum experience requirements, or any other aspect of the City's bid process for this Project, modified Bid Protest Procedures have been incorporated in the Instructions to Bidders. The proposed bid protest procedures are set forth in Exhibit B, attached.

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

After 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 adopt Resolution No. 2016-25, providing specific approvals related to the Wastewater Treatment Plant Improvements Project:

1. Approve the Wastewater Treatment Plant Improvements Project Plans and

Specifications, including:

- a. **Proposed minimum project experience requirements for the General Contractor, Electrical Subcontractor and the System Integrator, which must be met by a Bidder to be eligible for an award of Contract; and**
 - b. **Proposed bid protest procedures to be utilized;**
2. **Authorize the City Manager to make any necessary adjustments to the Wastewater Treatment Plant Improvements Project Plans and Specifications prior to or during the bid period;**
 3. **Direct the City Manager to seek public bids for the project.**

Motion passed with the following vote:

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

8. Contract with West Yost for Wastewater Treatment Plant Engineering Services During Construction.

City Manager Daly reported the City's need for a wastewater treatment and disposal project was created by Waste Discharge Requirements adopted by the Regional Water Board in 2013 in Order No. RS-2013-0146-01 (hereinafter, Order). West Yost and City staff have worked diligently to complete the plans and specifications on July 29, 2016 in accordance with the revised schedule defined in Regional Board Time Schedule Order RS-2015- 0003-01 (TSO).

Advertising for contractor bids is anticipated to occur after approval of the initial funding agreement from the State Clean Water State Revolving Fund, which is anticipated in late September of 2016. Once bidding is complete, the State goes through a final budget approval process for the project before a contract can be awarded to the construction contractor. It is anticipated that construction of the project will begin around the beginning of February 2017. As the project moves into construction, it important that the design engineer, West Yost, be available to the City to provide support to the construction team in implementing the design intent of the project. West Yost has detailed knowledge of the project and its development and will be able to efficiently provide support services as questions or issues arise during construction. The anticipated scope of services for Engineering Services during Construction (ESDC) is provided as an attachment.

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

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

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Lewis, and carried by a 5 to 0 vote to approve enter into a contract agreement with West Yost Associates in the amount of \$537,853 to provide engineering services during construction.

Motion passed with the following vote:

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

9. CLOSED SESSION

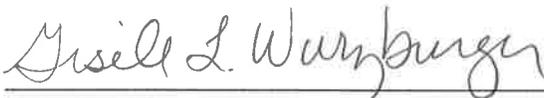
- a. Conference with Real Property Negotiator. (Pursuant to Government Code Section 54956.8). Parking Lot across from 240 N. Main Street, Jackson, APNs 020-191-004 and 020-191-005, Chaquica and Rodgers Family Trusts. Agency Negotiator: Michael Daly, City Manager.
- b. Public Employee Annual Performance Evaluation: City Manager. (Pursuant to Government Code Section 54957).
- c. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Jackson Police Officers Association (Pursuant to Government Code Section 54957.6).
- d. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Jackson Miscellaneous Employees Association (Pursuant to Government Code Section 54957.6).

Vice-Mayor Gonsalves reconvened to Open Session at 9:37 p.m. and announced no reportable action taken.

10. ADJOURNMENT

Adjourn 9:38 p.m.

ATTEST:



Gisele L. Wurzbarger, City Clerk

Date Approved: August 22, 2016