

Jackson City Council
Minutes
Regular Meeting of October 26, 2009

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

Michael Daly, City Manager
Andrew Morris, City Attorney
Scott Morrison, Police Chief
Sherry Lane, Deputy City Clerk

COUNCIL MEMBERS ABSENT:
None.

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Lewis, seconded by Councilmember Sweet, and Unanimously carried to approve the City Council Agenda dated October 26, 2009 as presented.

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Expenditure Report for October in the amount of \$58,087.41.
- b. Accept September 2009 Treasurer's Report and Sales Tax Report.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and Unanimously carried to approve as presented.

4. ADMINISTRATIVE REPORTS.

Max Godde, Water Superintendent reported Lead and Copper testing required by the Department of Public Health Office of Drinking Water resulted in some high levels that will require public notification and additional testing. More detailed information will be presented at a future meeting.

Police Chief Morrison reported on the following items:

Jackson Police Department pulled taser guns from the enforcement due to safety concerns. Heritage Days went well only one incident but Jackson Police acted fast.

A press release will be released October 27, 2009 reporting that Jackson Police Dispatcher-Clerk Renee McKinney was terminated for theft of Public Funds Funds/Embezzlement from the Jackson Police Department on August 17, 2009. He also added the case investigation has been forwarded to the Amador County District Attorney's Office for review and further action, after which point other details

will be made public. Chief Morrison expressed that the Jackson Police personnel were saddened as well as shocked by this case.

City Manager Daly reported on the following items:

1. The public meeting for the Sutter Street project on October 15 was attended by about eight community members and planning on the project is proceeding.
2. The City Manager and City Attorney are working with ACES Waste Management on a change in their rate adjustment procedures that will be on a future City Council meeting agenda for consideration.
3. Saturday October 31, 2009 the Jackson Rotary Club will be hosting Jackson's Annual Halloween Parade.

COUNCIL REPORTS.

Vice-Mayor Garibaldi attended the following meetings: Shop Jackson workshop, Amador County Recreation Agency meeting.

Councilmember Sweet attended the following meetings: Amador Fire Protection Authority meeting, Amador County Transportation Commission meeting and site visit to possible wastewater storage areas with the City Manager, Frank Busi Jr., John Plasse and Harold Welbourn of ECO:LOGIC.

DISCUSSION CALENDAR.

6. Request for Water Leak Adjustment- 618 Broadway.

The City Council reviewed a letter from Mrs. Kate Morrow of 618 Broadway requesting a water leak adjustment. The water usage for August 2009 was 92 units, much higher than the August 2008 usage of 31 units. The Water Department notified the Morrrows of the high water use and assisted them in determining how this happened. Due to circumstances, staff recommends that the three months of billing that were affected by the leak should be credited per the ordinance policy of one-half the difference. The Morrrows request for a refund of \$882.08, the entire difference between what was paid and the typical amount of their bill over the three months of billing when this leak occurred.

The City Council expressed support for refunding the entire excess amount due to the specific circumstances raised during the discussion of this situation. City Attorney Morris pointed out that since the adjustment procedures are prescribed by ordinance, if the Council wants to provide a credit greater than allowed in the ordinance, another ordinance would be required to officially credit the account.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi and unanimously carried to direct staff to draft an ordinance to provide a credit adjustment for entire excess water usage amount of \$882.08.

7. Proposal to Display Amador County's State Fair Exhibit (Kennedy Mine Model) in City Parking Lot at Highway 49/88 and Main Street intersection.

The City Council reviewed the request from the Amador Council of Tourism to place the State Fair exhibit model in the Highway 49/88 and Main Street intersection parking lot. This year's State Fair Exhibit built to represent Amador County was coordinated by the Amador County Tourism, with design and construction by Kam Merzlak, Doug Wescott and a team of volunteers. The \$2,000 requested to

place the exhibit at this location would cover the cost of moving the exhibit from its current location in the Fiddletown area and removal of the exhibit when display period is scheduled to end in April 2010. During the discussion of this item, Frank Blauvelt Jr., offered to pay for \$500 of the proposed cost to display the exhibit in the City parking lot.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi and unanimously carried to Approve Display of County State Fair Exhibit (Kennedy Mine Model) in City Parking Lot at Highway 49/88 Main Street and expenditure of \$1,500 from the Measure E transient occupancy tax funding for this project.

8. A Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing certain Other Actions in Connection Therewith.

The City Manager Daly reported at the October 13, 2009 City Council meeting, a report was presented outlining the provisions of a program available to the City to avoid any loss of property tax when the State of California follows through with the suspension of Proposition 1A (2004 version) and borrow 8% of property tax revenues from local governments. The official documents had been received from the California Communities joint powers authority and staff recommended approving the boilerplate resolution provided to all public agencies in California participating in this program.

Moved by Councilmember Sweet, seconded by Councilmember Crew and unanimously approved, to adopt Resolution No. 2009-38, a resolution approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

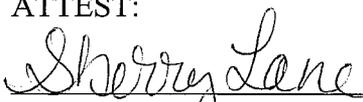
9. Full-Time Fire Department Services Options.

City Manager Daly reported to the City Council the options of a Full-Time Fire Department. The options at this point include contracting with AFPD for service, working with or contracting with another fire agency in the County, or hiring full-time fire employees to work directly for the City of Jackson. Daly also added the Amador Fire Protection Authority is working out final details of the Measure M and Proposition 172 sales tax distribution formula mandated by the Measure M ballot language. More information will be giving to the City Council at the next meeting in November.

10. ADJOURNMENT

Adjourn: 8:00 p.m.

ATTEST:



Sherry Lane, Deputy City Clerk

Date Approved: November 9, 2009