

Jackson City Council
Minutes
Regular Meeting of June 27, 2011

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

Michael Daly, City Manager
Andrew Morris, City Attorney
Mark Morton, Fire Chief
Scott Morrison, Police Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

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

2. APPROVAL OF AGENDA.

Moved by Councilmember Lewis and by Councilmember Crew, and unanimously carried to approve the City Council Agenda dated June 27, 2011 as presented.

3. PUBLIC MATTERS NOT ON THE AGENDA.

Jack Georgette, Jackson, stated he was excited about the new façade program on Main Street and any revitalization occurring without massive construction.

Robert Barfoot, Jackson, stated he was upset about the newspaper article regarding the National Hotel renovation.

Dick Harrison, Main Event, stated there should be more concern with building frontage and not the back of building.

Mayor Gonsalves noted for the record this section of the meeting is for public matters not on the agenda and requested all comments regarding the National Hotel be held for discussion during Agenda Item #6 under the Discussion Calendar.

4. CONSENT CALENDAR.

- a. Approval of Minutes of June 13, 2011 meeting.
- b. Approval of Expenditure Report for June in the amount of \$193,879.17.
- c. Accept May 2011 Treasurer's Report and Sales Tax Report.
- d. Adopt Resolutions Approving Program Supplement Agreements with Caltrans for South Avenue and French Bar Bridge Replacement Projects.

Moved by Councilmember Lewis, seconded by Councilmember Garibaldi, and unanimously carried to approve as presented except for:

1. **Councilmember Crew abstained on the approval of Check 23525 in the amount of \$80.00.**

5. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported the last couple of weeks the department has responded to several local fires due to the recent change in the weather. The oral interviews for the Fire Chief position were held today at City Hall.

Police Chief Morrison reported the department has been busy the last couple of weeks.

City Planner Peters reported on the following:

1. The Planning Commission has been working on the Sign Ordinance update and planned to hold a public outreach at the July 18 Planning Commission meeting.
2. Rezone and General Plan Amendment for Hazel S. Powell, Trustee for Cuneo Trust, 1316 Jackson Gate Road will be submitted for the consideration at the July 11 City Council meeting.
3. The first reading and adoption of an ordinance to establish the Architectural Regulations for the City of Jackson will be held at the July 11 City Council meeting.

City Manager Daly reported on the following:

1. AmadorArts is hosting the 1st annual "Jazzin' It Up In Jackson" event from 5pm - 8pm on June 25 on historic Main Street in downtown Jackson.
2. Motherlode Community Foundation meeting scheduled for Tuesday, June 28 at 6:00 p.m. at Thomi's.
3. ACRA will be holding a JPA Workshop Thursday, June 30 at 7:00 p.m. to discuss funding options and the future of ACRA. The workshop is open to the public.
4. Jackson Lions Club Fireworks Sales, June 26 to July 4 at the Detert Park Parking Lot area.
5. Jackson Lions Club Fireworks Show, July 3 at the Jackson Junior High School sports field.
6. The Notice of Preparation for the EIR is now available and a public meeting will be held on Wednesday, July 6 to allow for public input.

6. COUNCIL REPORTS.

Councilmember Crew reported he attended the Air Quality Board meeting.

Councilmember Garibaldi reported he attended the 1st annual "Jazzin' It Up In Jackson.

Vice-Mayor Sweet reported on the following:

1. Attended the Kennedy Tailing Wheel Preservation Project meeting.
2. Attended the 1st annual "Jazzin' It Up In Jackson.
3. Attended the ACTC meeting.

Mayor Gonsalves reported she attended the 1st annual "Jazzin' It Up In Jackson and requested a letter of thanks be written to AmadorArts.

DISCUSSION CALENDAR.**6. Historic Design Review - Elevations - National Hotel, 2 Water Street.**

City Planner Peters reported Development Code, Article IV, Chapter 17.77, Historic Design Review, requires any project in the Historic Commercial Zone needing a building permit to be reviewed and approved by the Design Review Committee for consistency with Historic Design Guidelines contained in Article II (Chapter 17.24) of the Development Code. In the event there is no Design Review Committee (which there is not yet), the Planning Commission has the authority to review the project

(Article IV, Section 17.70.020). The proposed project is zoned Historic Commercial and does require a building permit.

The Planning Commission reviewed this issue at their June 20, 2011, meeting where there were considerable questions and comments from the public. The Planning Commission continued the item to their July 18, 2011, meeting to allow staff to gather more information regarding these comments. The applicant, in an attempt to keep the project on schedule, has requested that the City Council review the project and make a determination on the proposed façade improvements. For this reason staff has forwarded the application to the City Council.

The applicant is requesting approval of proposed façade improvements at 2 Water Street, The National Hotel. The improvements include replacing all existing windows (including aluminum horizontal sliders) with brown wood composite framed windows, removing the wood siding and re-stuccoing the entire building with the original "hand trowel" finish, rebuilding the balconies and awnings, repainting the building, and adding an elevator shaft structure on the western side of the building to comply with the Americans with Disabilities Act.

The main issues that were raised by the public are in italics at the beginning of each bulleted item. The information obtained from the applicant in response to each issue is provided afterwards in regular type:

1. *There were concerns that the rock on the back of the building would be covered with stucco.* The rock in question is located on the back of the adjacent Mason's building and is not part of the proposed project.
2. *The replacement materials used on the front balcony are not consistent with the existing materials.* The replacement wood timber and deck material are only temporary to support the scaffolding. The permanent replacement material will be the same as the existing.
3. *There was a comment made that the stucco material needs to be chemically compatible with the existing stucco and brick mortar so as not to damage the integrity of the existing materials.* The applicant and his contractor have been made aware of the concern. They have assured staff that their stucco contractor will be made aware of the concern as well and that the appropriate material will be used.
4. *There were several comments made regarding the type and size of windows utilized. The suggestion from the public was for the windows to be wood framed.* The applicant chose Fibrex windows, which are a composite blend of sawdust (40% of which is pre-consumer recycled material) and polymer because they require little or no maintenance where wood windows require painting every two to three years. The size of the windows are original with the exception of the back, south facing windows, which were made smaller to allow for more useable wall areas within the hotel rooms.
5. *Some of the existing windows have an arch or "eyebrow" over them that those commenting requested be retained.* These architectural features will be retained.

In accordance with Development Code Section 17.77.040 – Findings and Decision for Certificate of Appropriateness, the following findings must be made for approval of the requested design:

1. The project, including its character, scale and quality of design, is consistent with the purpose of the Development Code, and all applicable development standards and historic design guidelines;
2. With regard to a designated historic resource, the proposed work will neither adversely affect the significant architectural features of the designated historic resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site;
3. With regard to any property located within the Historic Commercial Zone, the proposed work conforms to the Historic Design Guidelines for the district and does not adversely affect the character of the district;
4. The proposed project is consistent with the General Plan.

Councilmember Crew inquired if the Architectural Regulations were in place would this type of application go to the Planning Commission for consideration. City Planner Peters stated the Architectural Regulations Design Review Committee would have reviewed the application and the applicant has the option to appeal the Committee's decision to the Planning Commission or City Council.

Vice-Mayor Sweet inquired if building permits had been issued. Planner Peters reiterated the proposed project is zoned Historic Commercial and does require a building permit, however she has not signed off on this permit.

Senior Building Inspector White stated a building permit was issued for exploration and demolition. He explained when the building permits are issued there were conditions placed on the permit.

Councilmember Lewis inquired if the City Council approves the proposed National Hotel façade improvements could that decision be appealed. City Manager Daly reiterated the applicant, in an attempt to keep the project on schedule, requested the City Council review the project and make a determination on the proposed façade improvements. He explained this would be the last step for this application, which was not approved or denied by the Planning Commission, and there would be no appeal.

Councilmember Garibaldi inquired if the applicant has been cooperative during this process. City Planner Peters reported Mr. Lukowicz has been transparent during this process.

Vice-Mayor Sweet inquired was it fair to say the concerns provide in the staff report were the significant issues discussed at the Planning Commission meeting. City Planner Peters stated the concerns were from her notes taken at that meeting.

Nick Seidler, Contractor, was present to answer questions of the City Council.

Mayor Gonsalves opened the public discussion. The following individuals provided public comment: Gary Reinoehl, Robert Lockhart, Martha Perez Virginia Manner, Errol Esbit, Pat Collagen, Rebecca Brown, John Plasse, Dave Carson, Steve Faraway and Zane Fraylick. Hearing no further comments from the public, Mayor Gonsalves closed the public discussion.

Vice-Mayor Sweet reiterated the development standards and historic design guidelines are negotiable and are intended to be guidelines not rules set in stone. He was thankful for the public comment however the applicant does have the right to ask the City Council for consideration.

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

Moved by Vice-Mayor Sweet, seconded by Councilmember Crew unanimously carried to approve and consider adoption of Resolution No. 2011-20 approving the proposed façade design for the National Hotel improvements at 2 Water Street based on the findings in this report.

Mayor Gonsalves called for a recess at 8:24 p.m. Mayor Gonsalves reconvened the meeting at 8:35 p.m.

7. Authorization for Submittal of Proposition 84 Grant Application for Recreation Development of Oro De Amador Property.

Tracey Towner-Yep, ACRA was present to provide an overview of the survey results for Oro De Amador Proposition Recreation Proposition 84 Grant Application. The City has been working with ACRA on the submittal of a Proposition 84 grant application for recreation development of the Oro De Amador property. After extensive surveys of the public at meetings and with paper and on-line documents, ACRA staff engaged Chuck Gardella with Gates & Associates, a landscape architecture firm to provide pro bono work in the development of design and cost estimate information. The conceptual design work was presented at the City Council meeting.

The guidelines for the Proposition 84 program require the legislative body to authorize submittal of the application. Additional information, including details on the budgeted costs and the required resolution were provided for consideration. The application deadline is Friday and they will have the application completed by Wednesday.

Mayor Gonsalves opened the public discussion. The following individuals provided public comment: Thornton Consolo, Rebecca Brown and Judy Jebian. Hearing no further comments from the public, Mayor Gonsalves 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 Crew unanimously carried to adopt Resolution No. 2011-16, approving the application for Statewide Park Program Grant Funds (Proposition 84) for the Oro De Amador Park Project.

8. Annual Amador County Recreation Agency Update and Membership Contribution Request.

Tracey Towner-Yep, ACRA Director, was present to make a presentation regarding the annual ACRA update and membership contributions for funding to support activities of this joint powers organization. ACRA has grown steadily since 2004 and as a fiscal partner, Jackson has helped foster the ideas of cooperation and collaboration, while participating in a stream-lined approach to the provision of recreation programs, park maintenance and park development. ACRA has provided additional services to the City this past year with grant writing and use of the portable movie screen at Christmas Delights. The agency also continues to manage the Men's Basketball recreation league and offers other activities both in Jackson and other areas of the County that are available to Jackson

residents. Ms. Towner-Yep thanked the City Council for their consideration for continued support. Although she understands the City's budget constraints she requested the City Council approve 100% participation in the amount of \$23,335.

City Manager Daly reported the City's FY 2011-12 recommends increasing the contribution to ACRA resulting from the increase in the City's population change (a bump of over 300 residents as a result of the 2010 U.S. Census). The budget recommends contribution \$13,335, which is derived from the \$5.00 per capita amount less \$10,000. The City has contributed \$11,575 the past two years based on the \$10,000 reduction from the per capita request. Funding options and the future of ACRA will be discussed at the ACRA JPA Workshop being held this Thursday.

Moved by Councilmember Garibaldi, seconded by Councilmember Lewis, and carried unanimously to recommends contribution \$13,335, which is derived from the \$5.00 per capita amount less \$10,000 as stated in the Fiscal Year 2011-2012 City of Jackson Budget.

9. Adoption of Fiscal Year 2011-2012 City of Jackson Budget.

City Manager Daly reported staff help formulate this budget. He thanked staff for all their effort and support while maintaining the same level service. He provided a PowerPoint presentation for the Fiscal Years 2011/2012 Operating and Capital Budget for approval. The Fiscal Year 2011/2012 Operating and Capital Budget provides a financial narrative and detail that allows residents to understand how services are provided and what could be expected in the year ahead. The Budget is accessible to the public on the City of Jackson website or at the City Hall and the library.

At the last City Council meeting, several issues related to the Fiscal Year 2011-12 City Budget were identified and reviewed. The provided resolutions include the resulting recommendations from staff for adoption of the proposed budget for the fiscal year beginning July 1, 2011. Several economic factors and regulatory issues are driving the significant policy issues facing the City Council, as this annual fiscal review sets the tone for services provided to the citizens in Jackson over the next twelve months.

a. Resolution No. 2011-17 Approving the City Operating Budget and City Capital Improvement Budget for Fiscal Year 2011-2012.

Moved by Vice-Mayor Sweet, seconded by Councilmember Lewis, and unanimously carried to approve Resolution No. 2010-27 Approving the City Operating Budget and City Capital Improvement Budget for Fiscal Year 2010-2011.

b. Resolution No. 2011-18 Authorizing Full-Time Positions in City Service for Fiscal Year 2011-2012.

Moved by Vice-Mayor Sweet, seconded by Councilmember Crew, and unanimously carried to approve Resolution No. 2010-28 Authorizing Full-Time Positions in City Service for Fiscal Year 2010-2011.

c. Resolution No. 2011-19 Setting a Tax Appropriation Limit for Fiscal Year 2011-2012.

Moved by Vice-Mayor Sweet, seconded by Councilmember Garibaldi, and unanimously carried to approve Resolution No. 2010-29 Setting a Tax Appropriation Limit for Fiscal Year 2010-2011.

10. Planning Commission and Cemetery Committee Appointments.

City Manager Daly reported the Planning Commission terms last two years and expire on June 30. During even numbered years, two seats expire and during odd numbered years, three seats expire. This year, the seats of Planning Commission members David Butow, Kathryn Devlin and Walt Hoeser expire on June 30. All three commissioners have applied for re-appointment and no new applications were filed.

Cemetery Committee terms also last two years and expire on June 30. Three seats are expiring this year: Alfred Nunes and Margot McIntire. Another seat scheduled to expire at this time became vacant earlier in the year. Both of the current committee members have applied for re-appointment, while one seat remains vacant without an applicant. It is recommended that the filing period be kept open until a qualified applicant is appointed to the position.

Moved by Councilmember Crew, seconded by Vice-Mayor Sweet, and unanimously carried to appoint David Butow, Kathryn Devlin and Walt Hoeser to serve on the Planning Commission.

Moved by Councilmember Crew, seconded by Vice-Mayor Sweet, and unanimously carried to appoint Alfred Nunes and Margot McIntire to serve on the Cemetery Committee and to extend the remaining Cemetery Committee seat application deadline indefinitely.

11. CLOSED SESSION

a. **Public Employment.** Title: Fire Chief. (Pursuant to Government Code Section 54957).

Vice-Mayor Sweet reconvened to Open Session at 10:19 p.m. and announced there was no reportable action taken.

10. ADJOURNMENT.

Adjourn: 10:20 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: July 11, 2011