

Jackson City Council  
Minutes  
Regular Meeting of September 14, 2015

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

Michael Daly, City Manager  
Mark Morton, Fire Chief  
Scott Morrison, Police Chief  
Susan Peters, City Planner  
Gisele Wurzbarger, City Clerk

**COUNCIL MEMBERS ABSENT:**

Marilyn Lewis

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

1. **CEREMONIAL.** Proclamation for Constitution Week, September 17 – 23, 2015.

Mayor Crew read the Proclamation into the record.

2. **APPROVAL OF AGENDA.**

**Moved by Councilmember Gonsalves, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve the City Council Agenda dated September 14, 2015 as presented. Motion passed with the following vote:**

**AYES: Crew, Garibaldi, Gonsalves, Lewis, Sweet**

**NOES: None**

**ABSENT: Lewis**

**ABSTAIN: None**

3. **PUBLIC MATTERS NOT ON THE AGENDA.**

None.

4. **CONSENT CALENDAR.**

- a. Approval of Minutes of August 24, 2015 meeting.
- b. Approval of Expenditure Report for the period of August the amount of \$228,754.77.
- c. Accept June 2015 Treasurer's Report and Sales Tax Report.
- d. Receive Jackson Fire Department Monthly Report for August 2015
- e. Receive Jackson Police Department Monthly Report for August 2015.
- f. Receive Building Department Monthly Report for August 2015.
- g. Approve Resolution Pledging Revenues for Upcoming Wastewater Project.
- h. Approve Updated Job Description for Maintenance Lead Worker.

**Moved by Councilmember Gonsalves, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote to approve the Consent Calendar dated September 14, 2015 as amended and except for. Motion passed with the following vote:**

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

**Vice-Mayor Sweet abstained on the approval of Check 3806 the amount of \$606.57.**

## **5. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported on the following:

1. Jackson Fire Department responded to 130 calls last month, 95 medical calls, 18 public assists, 7 fire related, 4 hazardous materials, 6 traffic accidents and 23 of the calls or 18 percent were outside of the city limits for automatic aid to the AFD.
2. Update on staffing and equipment related to the Butte fire.
3. Jackson Fire Department Labor Day Fundraiser Dinner Dance was held Saturday, September 5

Police Chief Morrison reported the Department assisted with the Butte fire.

City Planner Peter reported the Planning Commission at their next meeting will consider a variance to allow construction of a retaining wall for Scott & Cheryl Oneto.

City Manager Daly reported on the following:

1. Butte Fire was a serious threat to the Scottsville area and luck was on our side.
2. Working with California Department of Fish & Wildlife on the Streambed Maintenance Agreement permitting creek cleaning.
3. The Environmental Protection Agency was performing the soil removal identified by the Argonaut Dam and 9 property owner's soil has been completed.
4. The Environmental Protection Agency EPA working on getting funding for the Argonaut Dam retrofit.
5. Water conservation update is on tonight's agenda.
6. Sewer rate structure was submitted to the Rate Payers Alliance and will be on the next agenda.
7. Special Event – Days of '49 Parade and Related Activities, September 19-20, due to the Butte fire only the Parade and items scheduled on Main Street will be held Sunday.

## **6. COUNCIL REPORTS.**

Councilmember Garibaldi reported on the following:

1. Attended the Jackson Fire Department Labor Day Fundraiser Dinner Dance held September 5.
2. Amador County Recreation Agency masterplan update is out for consultant proposal and bid and should be submitted for consideration within the next few months.

Councilmember Gonsalves reported on the following:

1. Attended the Jackson Fire Department Labor Day Fundraiser Dinner Dance held September 5.
2. Butte Fire - proud of our community, Fire Department, Police Department and Public Works.

Vice-Mayor Sweet reported on the following:

1. Butte Fire - also proud of our community with the fire efforts.
2. Days of '49 - the Civic Center will be open Sunday, September 20 from 11:00 to 4:00.
3. Amador County Historic Society will be holding Wine and Cheese Tasting Fundraiser on September 18.
4. Attended the Amador County Transportation Commission meeting. He provided an update on the Regional Mitigation Fee Memorandum of Understanding.

Mayor Crew reported he attended the Jackson Fire Department Labor Day Fundraiser Dinner Dance held September 5.

### **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.

#### **7. Acceptance of Assistance to Firefighter Grant for Self-Contained Breathing Apparatus (SCBA) Equipment.**

Fire Chief Mark Morton reported he worked with Debbie Mackey, Fire Marshal for the Ione Fire Department on an application for 28 SCBA units through the Assistance to Firefighters Grant program. The City has submitted several applications to this program in the past for both SCBA equipment and fire engines, but has only received one previous grant back in 2004 for SCBA equipment. The current application was submitted earlier this year and the award was announced on August 28, 2015. The Fire Department is working with the City Manager to ensure that all federal grant requirements are met, including a commitment to providing the matching amount of 9%, or \$15,635. Since it was not known at budget time if this grant would be awarded or not, the matching funds were not budgeted. It is recommended that a transfer from the General Fund Reserves be made for the matching amount. The SCBA equipment grant will provide significant reliefs to the General Fund over the next three years since the current SCBA units are nearing the end of their useful life. The acquisition of this equipment through the grant program will allow all of these units to be purchased through a competitive grant process during this fiscal year.

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

City Manager Daly was directed to draft a letter of thanks to Debbie Mackey, Ione Fire Department, for her assistance preparing the grant application.

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

**Moved by Councilmember Gonsalves, seconded by Councilmember Garibaldi and carried by a 4 to 0 vote (Councilmember Lewis absent) to accept the Assistance to Firefighter Grant for Self-Contained Breathing Apparatus (SCBA) Equipment and approving the transfer of up to 5 % to total grant. General Fund Reserves to fund**

**the matching share of the grant. Motion passed with the following vote:**

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

**8. Resolution for New Sustainable Funding for State and Local Transportation Infrastructure.**

City Manager Daly reported one of the priorities during the end of the current legislative session has been developing a new transportation funding package for both the State and local levels. The latest version of the package would provide \$3.6 billion on an annual basis for the next ten years, with an emphasis on repairing and maintaining existing transportation infrastructure. Funding would be shared equally between the State and local governments, and also include funding for transportation. The current proposed funding level to come to Jackson would be nearly \$75,000 per year, so over the course of the program the City would receive \$747,972. Earlier versions contained more local funding, however, this would still allow the City to repair and overlay several local streets and would be a completely new funding source not presently available. The sources of the annual funding would come from the Cap and Trade account, a gasoline excise tax of six cents per gallon, a diesel excise tax, and a highway user fee of \$65 per vehicle added to the annual vehicle license fee renewal. The legislation proposes to add a constitutional amendment to ensure that the new funding cannot be withdrawn during the ten year period.

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 Vice-Mayor Sweet, seconded by Councilmember Gonsalves, and carried by a 4 to 0 vote (Councilmember Lewis absent) to adopt Resolution No. 2015-25, Urging the State to provide a new Sustainable Funding Source for State and Local Transportation Infrastructure. Motion passed with the following vote:**

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

**9. Annexation, Pre-Zone, General Plan Amendment and the associated California Environmental Quality Act Negative Declaration - Jackson Rancheria Band of Miwuk Indians, French Bar Road, APNs 044-180-034, 044-180-035, and 044-180-036.**

Postpone Public Hearing and continued to the Monday, September 28, 2015 meeting.

**10. Amendment to Jackson View Subdivision Agreement.**

City Planner Peters reported the City of Jackson has received building applications for eleven new homes in Phase II of the Jackson View Subdivision. This is the age restricted subdivision at the end

of Thomas Drive in the Scottsville area. In 2005 the City executed a Subdivision Improvement Agreement (SIA) that detailed the timing of construction for the Conditions of Approval for the subdivision. Also included in the SIA were performance measures to ensure completion of the required improvements. Some of the required conditions have been met completely; others have only been partially met. To confirm what work still needs to be completed, on what timeline, and with updated performance measures, staff has amended the SIA and is requesting Council approval. The amended agreement was reviewed by the City Attorney.

Thomas Dashiell, Applicant was present to answer questions of the City Council.

Vice-Mayor Sweet requested a strikeout copy of any further amendments made to this agreement.

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 Gonsalves, seconded by Vice-Mayor Sweet, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve Amendment to the Jackson View Subdivision Agreement. Motion passed with the following vote:**

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

**11. Jackson View Subdivision Request for Recreation and Traffic Mitigation Fee Reduction.**

City Planner Peters reported on May 11, 2015 the City Council considered a request from Thomas Dashiell, Project Manager for the Jackson View subdivision, to reduce some of the impact fees normally charged for new dwelling units. The main justification for the fee reduction requests was the age restriction of 55+ for all of the properties in this subdivision. The fees requested for reduction included the park in-lieu fee and the local and regional traffic mitigation fees. This item was continued to allow staff to review the fee reduction options. Building permits are soon to be released for the Jackson View Subdivision and Mr. Dashiell is again requesting Council consideration of fee reductions for the senior development.

The City's park in-lieu fee was established pursuant to a study conducted by ACRA in 2006. The fee is currently set at \$8,670 per dwelling unit, and applies to all residential dwelling units in the City, whether single or multi-family dwellings. The City allows for a reduction in the fee if neighborhood facilities are constructed and maintained by the development. For private facilities for use by residents of the development that provide for at least 50% of the public neighborhood park facility requirements, in-lieu fees may be reduced by up to 25%. The general formula for determining facility requirements is as follows: 3.2 persons per dwelling unit multiplied by .005 acres per person. This subdivision is approved for 127 homes for an ultimate subdivision population of 406 persons. Based on the formula above and applying the 50% requirement to justify fee reduction, the facility must provide at least one acre of recreational facilities. The recreation facility that was constructed as part of Phase I encompasses

approximately 1.38 acres, so a 25% fee reduction appears justified. They met this requirement and staff recommends.

There are provisions in both the regional and local traffic mitigation fee schedules for senior housing development. The regional traffic mitigation fee provides a category for "retirement community," described as "five or more residential units, enforceably restricted to those 55 or over and designed for the elderly." This fee is \$1,637 per dwelling unit, as opposed to the regular single family residential rate of \$3,878 per unit. The other traffic-related fee is the local Jackson fee that was established in 2013. The single family dwelling rate is \$3,495 per unit. Similar to the regional fee, there is a provision that allows for a reduced fee for designated senior units. However, the description is "Senior Adult House Attached." This implies that the fees reduction only applies to multi-family senior developments. John Gedney, Executive Director of the Amador County Transportation Commission, agrees with staff that this is an oversight on the part of the City's transportation consultant. Staff is recommending the local fee be set at the same percentage decrease as represented in the regional fee for senior developments. This would place the fee at \$1,475 per dwelling unit.

Thomas Dashiell, Jackson View Subdivision, was present to answer questions of the City Council.

Vice-Mayor Sweet requested clarification of the definition for mobile and senior dwellings on the local table.

City Planner Peters stated this item would be placed on a future agenda for discussion and clarification.

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 Vice-Mayor Sweet, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve the 25% reduction in the Park In-Lieu fee for the Jackson View Subdivision. Motion passed with the following vote:**

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

**Moved by Councilmember Garibaldi, seconded by Vice-Mayor Sweet, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve the Local Traffic Fee Schedule to reduce the local traffic fee by the same percentage as the regional fee for senior developments for the Jackson View Subdivision. Motion passed with the following vote:**

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

**ABSTAIN: None****12. Water Conservation Update.**

City Manager Daly 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. The statewide goal is to conserve water by 25% in June through February compared to the same usage periods in 2013.

The July conservation numbers showed Jackson water customer used 43.4% less water than used in July 2013. Particularly commendable were the three schools in the City (Jackson Elementary, Jackson Jr. High, and Argonaut High School), using 62% less water compared with the 2013 numbers. The ACUSD numbers were replicated in August. In August, the residential numbers were slightly lower, but still well above the 25% goal. The residential conservation rate in Jackson was 31.3% and the June-August average conservation is 36.2%. This is comparable to the City's billing from the Amador Water Agency, which for August showed that the City's total water purchases were 38.2% less than August 2013.

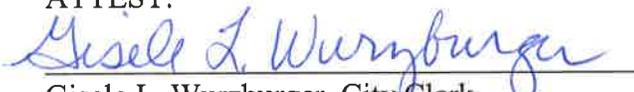
As noted at the last City Council meeting, the AWA rate increase of 34% has been challenged by the Ratepayer Protection Alliance with a referendum ballot measure. Signatures were submitted to AWA and the County Elections Office is now in the process of verifying signatures. Exactly what the impact of this referendum will be on AWA's rate increase is still to be determined by the AWA Board of Directors. Until more is known about the impact of the referendum, it is difficult to predict the impact of conservation on the City's budget. Updates on the water conservation will be provided on a monthly basis.

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

**8. ADJOURNMENT**

Adjourn 8:05 p.m.

ATTEST:

  
Gisele L. Wurzburger, City Clerk

Date Approved: September 28, 2015