

Jackson City Council
Minutes
Regular Meeting of July 14, 2014

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

Michael Daly, City Manager
Joshua Nelson, City Attorney
Mark Morton, Fire Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

Marilyn Lewis

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

1. APPROVAL OF AGENDA.

Moved by Councilmember Sweet, seconded by Vice-Mayor Gonsalves, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve the City Council Agenda dated July 14, 2014 as presented. Motion passed with the following vote:

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

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. CONSENT CALENDAR.

- a. Approval of Minutes of June 23, 2014 meeting.
- b. Approval of Expenditure Report for the period of June/July amount of \$418,797.00.
- c. Approval of Salary related items for June amount of \$286,079.32.
- d. Receive Jackson Fire Department Monthly Report for June 2014.
- e. Receive Jackson Police Department Monthly Report for June 2014.
- f. Receive Building Department Monthly Report for June 2014.
- g. Adopt Resolution for Notice of Completion – Magnesium Hydroxide Project at the Wastewater Treatment Plant.

Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and carried by a 4 to 0 vote (Councilmember Lewis absent) to approve the Consent Calendar as amended except for.

Councilmember Sweet abstained on the approval of Check 1880 in the amount of \$606.57.

Mayor Crew abstained on the approval of Check 1832 in the amount of \$553.12 and Check 1833 in the amount of \$16,000.00.

Motion passed with the following vote:

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

4. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported on the following:

1. Jackson Fire Department in June 2014 responded to 101 calls last month, 77 medical calls, 6 public assists, 11 fire related, 1 hazardous materials, 6 traffic accidents and 25 of the calls or 25 percent were outside of the city limits for automatic aid to the AFPD.

Police Chief Morrison was absent. The provided report stated the Department responded to 715 calls for service for the month of June.

City Manager Daly reported on the following:

1. Sewer rate committee meets today at 3:00 p.m. and Tuesday, July 22 at 3:00 p.m. Their recommendation for Proposition 218 procedures will be submitted at the August 11 meeting.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported on the following:

1. Attended the Amador County Recreational Agency meeting.
2. Attended another play production put on by AmadorArts and ACRA's Children's Theatre.
3. Attended the Amador County of Tourism meeting, Thursday, June 12.
4. Attended the Amador County Chamber of Commerce mixer.

Vice-Mayor Gonsalves reported on the following:

1. Will attend the Amador Fire Protection Agency meeting Thursday, July 17 at 4:00 p.m.

Councilmember Sweet reported on the following:

1. Attended the Amador County Transportation Commission meeting.
2. Will be attending the Regional Transportation Plan (RTP) workshop Thursday July 17 at 9:00 a.m.

Mayor Crew reported on the following: Air Quality Control Board retirement luncheon for Mike Boitano.

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. Addendum to the Wastewater Treatment Improvement Project EIR and New Preferred Design Option.

City Manager Daly reported the Regional Water Quality Control Board has issued an updated permit for the WWTP that would allow continued discharge of effluent to Jackson Creek; thus, development of the

land disposal site identified in the previous project's EIR would no longer be required. As a result, the City has made modifications to the project to eliminate the land disposal system and to instead utilize existing processes at the WWTP to treat and discharge effluent. City staff reviewed the revised project in light of the standards for subsequent environmental review in accordance with Public Resources Code Section 21166 subparts (a) through (c) and State CEQA Guidelines Section 15162.

This Addendum to the previously adopted and certified EIR demonstrates that the environmental analysis, impacts, and mitigation requirements identified remain substantively unchanged despite project revisions described herein. It also supports the finding that the revised project does not raise any new issues and does not exceed the level of impacts identified in the previously certified FEIR pursuant to State CEQA Guidelines Section 15164. The Addendum to the revised project was released for a 30-day public review period that began on May 16, 2014, and concluded on June 16, 2014. No comments were received on the Addendum that warrant further environmental review. The FEIR and the Addendum contain a complete record of the environmental impacts associated with the revised project in compliance with CEQA and the CEQA Guidelines. These actions will allow the project to move forward and complete the State Revolving Fund application process.

Patrick Angell, PMC, was present to answer questions of the City Council and reiterated the proposed actions provided to the City Council for consideration. Specific actions for the City Council include the following:

- Adopt the Addendum (see attached Resolution No. 2014-28)
- Adopt the revised Mitigation Monitoring and Reporting Program
- Select the revised project as the new preferred design option for the WWTP

Mayor Crew opened the public discussion. Bill Orescan stated the court found fault in the Final Environmental Impact Report and felt it should be decertified and reapproved before approval and adoption of submitted Addendum.

City Attorney Nelson reported he worked with Patrick Angel and City Manager Daly and the submitted addendum complies with CEQA.

Hearing no further comments from the public, Mayor Crew closed the public hearing.

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

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi and carried by a 4 to 0 vote to adopt Resolution 2014-28 Approving and Adopting an Addendum to the City of Jackson Final Environmental Impact Report SCH # 2011062026) and a Revised Mitigation Monitoring and reporting Program for the City's Wastewater Treatment Plant Project and Approval of the Revised Project Design Motion passed with the following vote:

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

7. Repeal of Municipal Code Chapter 8.25 – Medical Cannabis Regulations.

City Manager Daly reported a public hearing and first reading of Ordinance 678 to repeal of Municipal Code Chapter 8.25 – Medical Cannabis Regulations was held on June 23, 2014 with no comments from the public.

Mayor Crew opened the public hearing. Robert Allan spoke against prohibiting dispensaries as they are a great benefit for health issues. Hearing no further comments from the public, Mayor Crew closed the public hearing.

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

Moved by Councilmember Sweet, seconded by Councilmember Garibaldi, and carried by a 4 to 0 vote to approve second reading and adopt Ordinance No. 678. Motion passed with the following vote:

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

8. CLOSED SESSION

- a. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: General Employee Unit, SEIU Local 1021 (Pursuant to Government Code Section 54957.6).
- b. Conference with Labor Negotiator. Agency Representative, Michael Daly, City Manager. Employee Organization: Jackson Police Officers Association (Pursuant to Government Code Section 54957.6).

Vice-Mayor Gonsalves reconvened to Open Session at 7:27 p.m. and announced no reportable action taken.

Adjourn 7:28 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: July 28, 2014