

Jackson City Council
Minutes
Special Meeting of December 22, 2016

Connie Gonsalves, Mayor
Marilyn Lewis, Vice Mayor
Wayne Garibaldi
Bob Stimpson
Keith Sweet

Josh Nelson, City Attorney

Mayor Gonsalves called the meeting to order at 5:30 pm.

APPROVAL OF AGENDA

The City Council approved the agenda.

PUBLIC COMMENT NOT ON AGENDA

Zachary Jones stated that he had been assaulted by the Sheriff and experienced other difficulties. Mr. Jones requested assistance from the City on his and his family's behalf. Councilmember Garibaldi provided Mr. Jones with his contact information for potential follow up.

Shirley Danjowski commented on the difficulty of finding Middle Ranch Road from New York Ranch Road.

DISCUSSION CALENDAR

Release of Councilmember Emails Held on Private Servers.

City Attorney Nelson discussed a recent Public Records Act request for the private emails of Councilmembers related to City business. Specifically, whether these emails are public records is currently the subject of pending litigation in a case out of San Jose. Based on this, the Council could decide to release the emails or wait until it receive direction from the courts. In addition, City Attorney Nelson recommended that the Council adopt a policy regarding these emails at a future meeting.

Mayor Gonsalves opened public comment. Casey Emerson indicated that he had submitted the request and believed that the email issue was an important one for the Council to consider. He indicated that he would submit a revised request with a narrowed scope and withdrew his initial request.

The Council then discussed the issue. Councilmember Garibaldi indicated his belief in transparency but concern that some emails with citizen implicated their privacy and right to contact their representatives. By consensus, the Council directed staff to prepare a policy on Council emails for consideration at its next meeting.

CLOSED SESSION

a. Public Employee Discipline/Dismissal/Release: City Manager. (Pursuant to Government Code Section 54957)

- b. Public Employee Appointment: City Manager. (Pursuant to Government Code Section 54957)
- c. Public Employee: City Manager. (Pursuant to Government Code Section 54957)
- d. Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 case

Vice-Mayor Lewis reconvened to open session at 7:00 pm with two items of reportable action:

On a motion by Councilmember Sweet, seconded by Councilmember Garibaldi, the Council voted to not renew City Manager Daly's employment agreement. The vote was 4-1 with Mayor Gonsalves dissenting.

On a motion by Councilmember Sweet, seconded by Councilmember Garibaldi, the Council voted appoint Susan Peters as acting City Manager. The vote was 5-0.

ADJOURNMENT

The Council adjourned the meeting at 7:02 pm.

Date Approved: January 9, 2017