

Jackson City Council  
Minutes  
Regular Meeting August 13, 2012

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

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

**COUNCIL MEMBERS ABSENT:**

Marilyn Lewis

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

**1. APPROVAL OF AGENDA.**

**Moved by Councilmember Garibaldi and seconded by Vice-Chairman Gonsalves, and unanimously carried to remove Agenda Item 8 and approve the City Council Agenda dated August 13, 2012 as presented.**

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

None.

**3. CONSENT CALENDAR.**

- a. Approval of Minutes of July 23, 2012.
- b. Approval of Expenditure Report for July in the amount of \$70,946.84.
- c. Approval of Salary related items for July in the amount of \$281,976.84.
- d. Accept June 2012 Treasurer's Report and Sales Tax Report.
- e. Receive Jackson Police Department Monthly Report for July 2012.
- f. Receive Jackson Fire Department Monthly Report for July 2012.
- g. Receive Building Department Monthly Report for July 2012.
- h. Adopt Resolution for Submittal of Water Recycling Facilities Planning Grant Application.

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Garibaldi, and unanimously carried to approve except for:**

- 1. Mayor Crew abstained on the approval of Check 236316 in the amount of \$784.48.**
- 2. Councilmember Sweet abstained on the approval of Check 236351 in the amount of \$609.52.**

**4. ADMINISTRATIVE REPORTS.**

Police Chief Morrison reported the Department responded to 722 several calls for service for the month of July.

City Manager Daly reported on the following:

1. Attending the Amador Water Agency meeting regarding the update on the financial plan and rate study. At a previous meeting the Jackson Outreach Committee requested several questions regarding the rate study be addressed. AWA did not get back to the committee before their adoption of a resolution to amend the Agency's Proposition 218 procedures with regards to the

AWA System Wide Water Rates. The Jackson Outreach Committee has posted an agenda to meet on August 14 at 1:30 p.m. regarding the rate increase.

2. Election process, Public Notice - Election Code 10229 lays out the three options if no one or only one person is nominated for each elective office. The City Clerk is required to submit a certification to the City Council that there are not more candidates than offices to be elected. The certification sets forth the following courses of action that may be taken by the City Council. (1) Appoint to the office the person who has been nominated; (2) Appoint to the office any eligible voter if no one has been nominated; and (3) Hold the election if either no one or only one person has been nominated.

The City Clerk is required to publish a notice of these facts in a newspaper of general circulation. The notice will be published in the Amador Ledger-Dispatch on August 17, 2012. After the fifth day following the date of publication, the Council may, at a regular or special meeting, make the appointments or direct the election be held. The persons appointed shall qualify and take office and serve exactly as if elected at a municipal election for that office. Cancellation of the General Municipal Election would result in a cost savings to the City of Jackson of approximately \$3,500.

3. Assembly Bill 1191 is currently in a suspension and will be heard by the Senate Appropriations Committee Thursday, August 16. Staff does not need to attend this meeting and noted Assemblywoman Huber was very optimistic.

#### **5. COUNCIL REPORTS.**

Councilmember Garibaldi reported the following:

1. ACRA was once again in the local newspaper and noted the agency is doing everything to rectify the Mollie Joyce Park field issues.
2. Continued recognition of Adam Dalton and the Amador County Park Restoration at Detert Park.
3. Attended the Amador County of Tourism meeting.
4. Participating in the Annual Big Wheel Race September 8 in Amador City.

Vice-Mayor Gonsalves reported on the following:

1. Attended the Amador County of Tourism meeting.
2. Participating in the Annual Big Wheel Race September 8 in Amador City.

Councilmember Sweet reported on the following:

1. Will be attending Save the Wheels meeting Tuesday, August 14 at City Hall.
2. Will be attending the AWA/City of Jackson Outreach committee meeting August 14 at City Hall.
3. Will be attending the Amador County Historic Society fundraiser dinner September 16.

Mayor Crew reported he would be attending the AWA/City of Jackson Outreach committee meeting August 14 at City Hall.

#### **DISCUSSION CALENDAR.**

##### **6. Request from Kathy duBois to Review City Procedure for Clearing Vegetation from Sidewalks.**

City Manager Daly reported in the last week of June 2012, the City received a request from a citizen to trim back the shrubs in the 200 block of Church Street. In areas where sidewalks exist, the Public

Works Department keeps an eye out for areas where sidewalks may get obstructed from vegetation growth or often responds to call from citizens where shrub or trees need trimming to prevent pedestrians from having to leave the sidewalk. When the complaint was received in June, the Public Works Department trimmed the vegetation at several properties in the vicinity, including a plum tree at 325 Church Street. The plums were nearly ripe and had caused the branches to overhang and obstruct the sidewalk. The branches were trimmed without any notification to the property owner. Ideally, property owners would keep an eye out for this type of situation, but that does not always occur. Because there are several areas where this occurs, the trimming is typically done without notification to the occupant of the property. In this situation, the residents were upset by the loss of the ripening fruit and requested this agenda item to discuss the City's policy. The City Council was provided a copy of the letter from Kathy duBois explaining their perspective and the response from the City Manager apologizing for the loss of fruit and a commitment that in the future trees would be treated differently with an attempt to notify a property owner prior to the pruning.

Kathy duBois, acknowledged Public Works was responding to a complaint and that City Manager Daly did send them a letter of apology. However she still requested this item be placed on the agenda so that the City Council would make a decision on whether no owner notification about a complaint is appropriate.

Mayor Crew opened the public discussion. Hearing no comment, Mayor Crew closed the public discussion.

City Manager Daly reported staff has direction regarding the City's vegetation clearing policy. In the future property owners will be provided a hang tag prior to pruning and that fruit trees will be treated differently with an attempt to notify the property owner prior to the pruning.

**7. Request from Councilmember Sweet for Letter of Support for Proposed Three-Year Commercial Use Feasibility study for the Mokelumne River Electra-Middle Bar Run proposed by the Bureau of Land Management.**

Councilmember Sweet reported the City of Jackson has long recognized the importance of the Mokelumne River as a local recreation, tourism and economic asset. He requests the City Council approve the draft letter of support for regarding the proposed Three-Year Commercial Use Feasibility study for the Mokelumne River Electra-Middle Bar Run proposed by the Bureau of Land Management.

Mayor Crew opened the public discussion. The following individuals spoke in support of the Letter of Support for Proposed Three-Year Commercial Use Feasibility study for the Mokelumne River Electra-Middle Bar Run proposed by the Bureau of Land Management: Katherine Evatt, OARS Rafting, Maureen Funk and Gary Wales. Hearing no further comment, Mayor Crew closed the public discussion.

**Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and unanimously carried to approve the request from Councilmember Sweet for Letter of Support for Proposed Three-Year Commercial Use Feasibility study for the Mokelumne River Electra-Middle Bar Run proposed by the Bureau of Land Management.**

**8. Award of Bid – Court Street/Highway 88 Intersection Improvement Project. Review and determine Council action.**

City Manager Daly reported at the June 25 meeting the City Council passed Resolution 2012-24 rejecting all bids opened on June 13, 2012 for the Court Street Reconstruction Project, City Project 2007-09 and authorized the City Engineer to execute necessary documents to advertise and rebid the Project. At the August 8 Bid opening the City received three (3) bids for the Court Street/Highway 88 Intersection Highway Safety Improvement Program Project which are provided on the summary spreadsheet. George Reed submitted the lowest bid in the amount of \$285,669.

Staff will review the required forms to achieve compliance with the federal requirements for contract award. These forms and some certifications by the City are required submittals for Caltrans and are prerequisite for construction cost reimbursement.

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

**Moved by Councilmember Sweet, seconded by Vice-Mayor Gonsalves, and unanimously carried to approve carried to adopt Resolution No. 2012-35 Awarding City of Jackson, Court Street Reconstruction Project, HSIP No. 5141(011) City Project 2007-09 to George Reed Construction Inc. and Authorizing City Manager to Execute Necessary Documents.**

**9. Accept Donation of Fire Engine Ladder Truck (Engine 1) from Amador Fire Protection District.**

City Manager Daly reported the Fire Department has operated Truck 1 for several years under the ownership of Amador Fire Protection District (AFDP). AFDP recently declared Truck 1 as surplus inventory. The plan to surplus the vehicle is largely due to the maintenance cost in recent years and to a lesser degree the lack of use or need to operate a vehicle with a very specific use. The general concurrence of Jackson Fire Department staff and area Fire Chiefs although this particular vehicle does not meet all of the regional needs, it will serve the purpose in the interim until a more suitable aerial ladder can be found.

Chief Crain approached AFDP Chief Jim McCart with the offer to transfer Truck 1 as a donation to Jackson with the agreement that the truck will be maintained until a point where the maintenance costs exceed the operational benefit and to continue to respond with Truck 1 as needed under the current area mutual aid agreement. That proposal has been accepted by AFDP.

AFDP's equipment that is on Truck 1 will be removed and it was also agreed that if the vehicle is sold within five years, the proceeds be forwarded to AFDP. He has also solicited and received an offer from Sutter Creek Fire Department and Ione Fire Department to lend Jackson Fire Department the necessary equipment to replace the equipment to replace the equipment that will be returned to AFDP under the donation agreement.

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

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Sweet, and unanimously carried to pass a motion approving the acceptance of the Amador Fire Protection District (AFDP) owned aerial ladder vehicle, designated Truck 1, as donation to the City of Jackson.**

**10. Request from ACTC for Resolution Supporting Future Installation of Emergency Signal Pre-emption Systems.**

City Manager Daly reported the City received a request from the Amador County Transportation Commission (ACTC), co-signed by Amador County Sheriff Martin Ryan and American Legion Ambulance President Al Lennox to support future installation of Emergency Signal Preemption Systems within the city limits. The request asks the City Council to adopt a policy by resolution directing that future signalization projects within its jurisdiction be designed and constructed to include an emergency signal preemption system.

The City recently worked with ACTC to install an emergency signal preemption system in the three traffic signals within Jackson city limits. These devices use GPS technology to automatically change the signal phase to 'green' for an emergency vehicle equipped with the activation devices.

The cost for adding this equipment to a signalized intersection is approximately \$10,000. This cost would be eligible for funding through the Regional or Local Traffic Mitigation Fee program and could also be part of any funding grants from Caltrans for a signalization project.

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

**Moved by Vice-Mayor Gonsalves, seconded by Councilmember Sweet, and unanimously carried to approve the adopt resolution 2012-32 a policy requiring all future signalization projects within the city/unincorporated county of Amador be designated and equipped with the Region's GPS-Based Emergency Signal Preemption System.**

#### 11. CLOSED SESSION

- a. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9).  
Name of case: Orescan v. City of Jackson, 12-CV-7862.
  
- b. Conference with Labor Negotiator - Agency designated representatives: Michael Daly, City Manager. Unrepresented employees: Fire Captain, Fire Engineer.

Vice-Mayor Gonsalves reconvened to Open Session at 8:12 p.m. and announced there was no reportable action taken.

Adjourn: 8:13 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: August 27, 2012