

Jackson City Council
Minutes
Regular Meeting of July 23, 2012

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

Michael Daly, City Manager
Scott Morrison, Police Chief
Marc Crain, Fire Chief
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

Marilyn Lewis

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

Mayor Crew called for a moment of silence in honor of “Patti Pulskamp Busch”. He stated her Celebration of Life will be held Monday, July 30 at the Pulskamp family home in Sutter Creek, the public is welcome all day from 11:00 a.m. to 11 p.m. with the services at 5:00 p.m.(ish).

1. APPROVAL OF AGENDA.

City Manager Daly reported Agenda Item #9 Closed Session has been pulled.

Moved by Vice-Mayor Gonsalves, and seconded by Councilmember Sweet, and unanimously carried to approve the City Council Agenda dated July 23, 2012 as amended.

2. PUBLIC MATTERS NOT ON THE AGENDA.

Bill Orescan, Jackson, stated according to the Brown Act the minutes must report the action taken during the Closed Session. City Manager Daly reported the City Council reconvened from the Closed Session and Vice-Mayor Gonsalves reported there was no reportable action. Mr. Orescan inquired what reportable action was taken on 7b. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9). Name of case: Orescan v. City of Jackson, 12-CV-7862. . City Manager Daly stated the Brown Act list what types of actions are reportable.

3. CONSENT CALENDAR.

- a. Approval of Minutes of July 9, 2012.
- b. Approval of Expenditure Report for July in the amount of \$70,946.84.
- c. Adopt Resolution for California Gold Development Corporation Easement for Water Line Easement.

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

Mayor Crew abstained on the approval of Check 236261 in the amount of \$14, 00.00.

4. ADMINISTRATIVE REPORTS.

Fire Chief Crain reported the Department assisted at the following activities:

1. Mutual Aid Plan held on Electra Road for 4 hours with CalFire.
2. Placer County Roberts fire.
3. Crew mobilized in Sutter Creek for local lightning fires.

4. Attended the 911 Action Plan which was the result of the reason trunk line down. This plan will help Amador County be better prepared during this type of emergency next time.

Police Chief Morrison reported the Department responded on several calls for service this week. He reported there has been an influx of parolees being dropped off in Amador County. He has drafted a letter to State Parole Office out of Oakland regarding transients being left off in our City and Amador County.

Councilmember Garibaldi inquired if Fred Wilke's letter regarding parking has been resolved. City Manager Daly reported Chief Morrison was looking into this matter.

City Manager Daly reported on the following:

1. On June 27, 2012 AB 1464 was signed into law and contains a schedule of state mandates that were suspended during the 2012-2013 budget year, including the Brown Act. The City will continue the implementation of all of the requirements of the Brown Act during the State of California's three-year suspension.
2. Jackson Wastewater Treatment Plant Project Notice of Availability was posted July 18 and the Draft Environmental Report is available at City Hall and the City's website. The Notice of Availability of revised Executive Summary will be available July 23, 2012. As a result of this revision the comment period will be extended to September 7, 2012. A public meeting to receive comments on the adequacy of the Draft EIR will be held on August 27, 2012, at 7:00 p.m. before the City of Jackson City Council.
3. Tractor Supply Store soft opening is scheduled for August 3 and the grand opening is scheduled for August 25.
4. Adam Dalton and the Amador County Park Restoration crew are hard at work at Detert Park. Support of these Amador County Park Restoration volunteers would be greatly appreciated.
5. Folks at Gifted and Lucy Hackett did an outstanding job decorating Jackson's Fair Window this year.

Councilmember Garibaldi inquired if there Kathy duBois's concerns had been address. City Manager Daly reported more information will be provided at a future date.

5. COUNCIL REPORTS.

Councilmember Garibaldi reported on the following:

1. Individuals can donate money to the Community Foundation of Amador County for the Amador County Park Restoration.
2. Controversy regarding the Molly Joyce Field and recent issues brought to the attention of ACRA has tentatively been resolved.

Vice-Mayor Gonsalves reported on the following:

1. Attended the Amador Fire Protection Authority meeting.

Councilmember Sweet reported on the following:

1. Attended the Kennedy Mine Foundation monthly meeting. They will be doing one of the ACRA bingo events.
2. Participated in a Police Department ride along with Officer Mike Collins.

3. ACTC voted 3 to 3 on MOU Traffic Mitigation Fees. Approval is still pending from Amador City and the City of Ione.
4. Save the Wheel presentation to the upcountry Seniors in Retirement group.

Mayor Crew reported the LAFCO monthly meeting was cancelled.

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. Consider Allocation of Funding from Measure E Transient Occupancy Tax to the Amador County Business Council.

City Manager Daly provided a brief history of the Measure E Funding. The City Council reviewed the recommendations of the Measure E Advisory Committee at the July 9 meeting and held off on funding the Amador County Business Council. It wasn't that the City Council felt the ACBC was worthy of funding, but felt that more information was needed about how the \$2,000 would be utilized. They continued this item to have further consideration of the funding at tonight's meeting.

Paul Molinelli Jr., Amador County Business Council, President, was present to answer question of the City Council.

Jim Conklin, Amador County Business Council, provided brief presentation regarding the Economic Gardening Test Program. The Economic Gardening Program will help identify key customers, strategies, and target markets. The test program in Jackson will be split into 2 programs, one in the Jackson and one in the County. Members on the Amador County Business Council that will be participating in this program will be Paul Molinelli Jr., Stanley Lukowicz, Jim Conklin and one City Councilmember.

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

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

Moved by Councilmember Garibaldi, seconded by Vice-Mayor Gonsalves, and unanimously carried to increase the recommendation of the Measure E Advisory Committee for allocation of transient occupancy tax funding to \$2,000 to the Amador County Business Council.

7. Board of Supervisors Request for Adoption of Resolution Concurring in the Call for an Election on the Question of Renewing the Countywide Abandoned Vehicle Abatement Fee.

City Manager Daly last year the City Council adopted Resolution 2011-27 extending the program period for the next ten years as implemented under section 22710 (Service Authority for abatement of abandoned vehicles.) Section 9250.7 of the California Vehicle Code relates to the AVA program, which continues the One Dollar vehicle registration fee that is disbursed as required for abatement, removal and disposal of abandoned, wrecked, dismantled or inoperative motor vehicle from private or public property. This bill is amended every ten years and is signed by the governor with the stipulation

that cities within the county agree to continue to utilize the AVA program. The Amador County Environmental Health Department administers this program.

During the past 19 years, this program has abated 3,920 vehicles, which includes vehicles towed from the City of Jackson under this authority and program. When the City uses the AVA for removal of respective vehicles, the tow fees are billed to the AVA program directly. The funds used for AVA within any given jurisdiction are based on a formula using current population and past tow history. The AVA serves to assist the City of Jackson clear of potential hazards and prevention of blight in our neighborhoods. It should also be known that property owners, land lords and property management agents can call upon the AVA to remove abandoned vehicles from private properties.

Proposition 26, adopted by the voters of California in 2010, altered the definition of a fee and resulted in the classification certain, new fees as taxes subject to voter approval. Pursuant to Section 22710(h) of the California Vehicle Code, the Amador County Board of Supervisors is requesting that a majority of the cities containing a majority of the incorporated population within the County adopt resolutions agreeing to the continuation of the Authority and the continued imposition of the \$1.00 fee per vehicle registration upon approval of the voters.

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

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

Moved by Councilmember Sweet, seconded by Councilmember Garibaldi, and unanimously carried to adopt Resolution 2012-30, Concurring in the Call for an election on the Question of Renewing the Countywide Abandoned Vehicle Abatement Fee.

8. Donation of Surplus Fire Truck to Jackson Valley Fire Department.

City Manager Daly reported in accordance of the Municipal Code Chapter 3, 3.08 Purchases City's Section 3.08.350 Conveying Surplus Personal Property to Charitable, Nonprofit Organizations. The City Council may convey to charitable, nonprofit organizations surplus personal property as it is determined by the City Council that the use to which the personal property will be put will be for the benefit of the general welfare of the community in matters such as recreation, education, aid to the destitute, City beautification, or any other activity in which the City government may legitimately participate. The organization accepting such personal property shall sign a statement that accepts such property on the condition that it will be used for the purpose designated by the City Council; that it shall not be used for any other purpose without permission of the City Council; and that if such property is ever diverted to other than a charitable use, the City may reclaim such property.

Fire Chief Crain reported the fire department possesses the following apparatus that has not been used in several years. Given the current status of our three fire engines in a relatively new fleet there is no operational need to retain this apparatus in the City inventory.

Apparatus/vehicles for surplus: 1990 E-One model fire engine, Engine 6330. This apparatus is serviceable and in good running condition with 57,329 miles on the odometer. This engine was donated to the fire department in 1999 by the Spinty Foundation.

Staff recommends donating the 1990 E-One model fire engine (E-6330) to the Jackson Valley Fire Department "As Is". Since the City received the engine as a donation through the generosity of the Spinty Foundation it seems appropriate to pass on the same option in the true intent of the Spinty Foundation's mission to support our communities. Need in the county for this vehicle Jackson valley is in need of this vehicle.

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

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

Moved by Councilmember Garibaldi, seconded by Vice-Mayer Gonsalves, and unanimously carried to pass a motion approving the donation of a surplus fire engine, a 1990 E-One model fire engine (Engine 6330), to the Jackson Valley Fire Department as is.

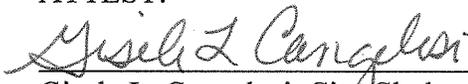
9. **CLOSED SESSION** Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9). Name of case: Orescan v. City of Jackson, 12-CV-7862.

This item was pulled from the agenda.

10. ADJOURNMENT

Adjourn: 7:56 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: August 13, 2012