

Jackson City Council  
Minutes  
Regular Meeting of May 29, 2007

Rosalie Escamilla  
Connie Gonsalves  
Al Nunes  
Andrew Rodriguez, Vice-Mayor  
Drew Stidger, Mayor

Michael Daly, City Manager  
Scott Morrison, Police Chief  
Mark Morton, Fire Chief  
Susan Peters, City Planner  
Karon Knuist, Administrative Clerk

**COUNCIL MEMBERS ABSENT:**

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

**1. APPROVAL OF AGENDA.**

**Moved by Vice-Mayor Rodriguez, seconded by Councilmember Gonsalves, and unanimously carried to approve the City Council Agenda dated May 29, 2007 as presented.**

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

Marilyn Lewis read from a statement provided to the City Council members regarding a copy of the typed transcript that she requested on March 27, 2007 and did not receive for 42 days. Ms. Lewis stated that she felt Mayor Stidger came to the March 26, 2007 meeting biased and not allowing the Friends of Jackson a fair hearing.

Jack Georgette commented on the poor quality of the taped copies of the Planning Commission and City Council meetings.

**3. CONSENT CALENDAR.**

- a. Approval of Minutes of March 26, 2007 meeting.
- b. Approval of Expenditure Report for the period of April the amount of \$75,421.53.
- c. Approval of Salary related items for May the amount of \$155,736.59 was continued to the June 11, 2007 City Council Meeting because the supporting documentation was not available.

**Moved by Councilmember Nunes, seconded by Councilmember Gonsalves, and unanimously carried to approve the Consent Calendar as presented except for:**

1. Item C was continued to the June 11, 2008 meeting.

**4. ADMINISTRATIVE REPORTS.**

Fire Chief Morton reported the Jackson Fire Department responded to 75 calls this month, and they are accepting bids for a new engine.

Chief Morrison reported that the Gold Country Cruise Car Show was a great success. The DARE graduation went well, the fire engines and the patrol car were there for the kids to see. The DUI checkpoint resulted in 5 cars being towed as well as all drivers' licenses being checked.

City Planner Peters reported that she is working on a response letter for the Wicklow subdivision DEIR. She estimates that the Home Depot EIR and the City's General Plan EIR will be ready for review by the Planning Commission at about the same time.

City Manager Daly reported that the Oro de Amador workshop was held and about 40 people attended. He also reported that the owners of the Jackson Creek Plaza are planning to re-stripe the parking lot and redo the landscaping.

**5. COUNCIL REPORTS.**

Vice-Mayor Rodriguez reported that he had attended the Planning Commission meeting and the Car Show.

Councilmember Gonsalves reported that she had attended the Amador Council of Tourism and judged at the Car Show.

Councilmember Escamilla reported that the ACRA Fundraising BBQ is scheduled for Thursday May 31 with dinner and surface tour scheduled. She also reported on the Junior Tennis program.

Mayor Stidger attended the Car Show and the DARE graduation.

**DISCUSSION CALENDAR**

- 6. Request from "No Casino in Plymouth" to Support Legislation by Congressman Lundgren to Amend the Indian Gaming Regulatory Act.** All council members except Vice Mayor Rodriguez agreed with the position Congressman Lundgren stated in the letter.

Mayor Stidger opened the matter up for public comment. No one came forward and Mayor Stidger closed the public comment session.

The council voted to draft a letter supporting the legislation by Congressman Lundgren outlined in the letter, with Vice-Mayor Rodriguez opposing.

- 7. Request from Jack Georgette for Clarification of Conflict of Interest for a Public Official.** Jack Georgette questioned why other members of the City Council, Planning Commission and Staff recuse themselves from certain topics, but when Planning Commissioner Garibaldi was asked by members of the audience to recuse himself from the Jackson Hills vote, he did not. Jack Georgette and others felt that because Commissioner

Garibaldi worked at a bank, it created a conflict of interest. Carlyn Drivdahl, the city attorney at the Planning Commission meeting that evening stated that it was not necessary for Commissioner Garibaldi to recuse himself because there was no legal conflict of interest. Tom Gibson, City Attorney, agreed with Carlyn Drivdahl that there was no legal conflict of interest. Mr. Gibson suggested that Mr. Georgette call the Fair Political Practices hotline, and also offered to speak with him on the phone.

The Council members were polled and the feeling of the group was that Jackson Hills has been talked about for years, and that each of them felt that they could make an objective decision.

Mayor Stidger opened the floor for public comment.

Thornton Consolo felt that the issue has not been looked at closely and the city should be more careful about the decisions they make.

Wayne Garibaldi said he is happy to answer any questions. The Bank of Amador has no business dealings with New Faze, Larry Standing signed the Jackson Hills petition as an individual, not as a representative of the bank, and Wayne feels he has no conflict of interest.

Lee Cook, a former Sutter Creek Planning Commissioner said he feels that the Fair Political Practices Commission is slanted towards large towns.

Mayor Stidger closed the public comment session.

The issue ended with Tom Gibson, City Attorney agreeing to meet with Jack Georgette at a later date.

- 8. Jackson Business Improvement District Public Hearing.** The recommended BID assessment schedule for the Fiscal Year 2007-2008 was presented by the BID Advisory Board along with the intended uses for the funds. If the City Council chooses to proceed with formation of the BID for FY 2007-08 and the resolution of intention is adopted, a copy of the resolution will be mailed to every business owner in the proposed district. A public hearing will be scheduled to accept any objections to the formation of the BID for FY 2007-08. The City Council adopted Resolution No. 2007-22, declaring its intention to continue the Downtown Jackson Business Improvement District and to set assessments for FY 2007-08.

Mayor Stidger opened the floor for public comment. No one came forward and the public hearing was closed.

**Moved by Councilmember Escamilla, seconded by Councilmember Gonsalves, and unanimously carried to approve Resolution 2007-22 declaring the intention to adopt the 2007/2008 Business Improvement District assessment schedule.**

- 9. Public Hearing – Review of “Notice of Intent to Develop” Applications for Resource Constraints and Priority Allocation Policy.** Received applications from St. Patrick Park, Creekside at Jackson, Jackson Hills, Miner’s Vista, and Charlotte Laughton. The Planning Commission recommends awarding 86 HEUs to the St. Patrick Park project, and 20 HEUs to the Creekside at Jackson project.

Each project was discussed and all the applicants except Charlotte Laughton, who was not present, came to the podium and answered questions from the Council members.

**Moved by Councilmember Gonsalves to allocate 86 HEUs to the St. Patrick’s Park project, with an additional 94 units deemed affordable housing and not subject to HEU restrictions, and 20 HEUs to the Creekside project. The motion was seconded by Vice Mayor Rodriguez, and approved by a 4-1 vote, Mayor Stidger opposing.**

- 10. Planning Commission and Cemetery Committee – Notice of Application Period.** The City Clerk will be accepting applications up until June 20, 2007 for the 3 open seats on the Planning Commission and the 2 open seats on the Cemetery Commission. The appointments will be announced at the June 25, 2007 City Council meeting.

**11. CLOSED SESSION: Conference with Labor Negotiator.** It was determined that the closed session was not necessary.

**11. ADJOURNMENT:** The City Council meeting of May 29, 2007 was adjourned at 9:42pm.

ATTEST:

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Karon Knuist, Administrative Clerk

Date Approved: June 23, 2008