

Jackson City Council
Minutes
Regular Meeting of December 10, 2007

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

Michael Daly, City Manager
Tom Gibson, City Attorney
Scott Morrison, Police Chief
Mark Morton, Fire Chief
Susan Peters, City Planner
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

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

1. CEREMONIAL. Introduction of New Employee: Police Officer Robert Cornejo. Police Chief Morrison introduced Officer Robert Cornejo. City Clerk Cangelosi swore in Police Officer Robert Cornejo.

2. APPROVAL OF AGENDA.

Moved by Councilmember Stidger, seconded by Councilmember Rodriguez, and unanimously carried to approve the City Council Agenda dated December 10, 2007 as presented.

3. PUBLIC MATTERS NOT ON THE AGENDA.

Logan Cornell, stated he has been a resident of Amador County all his life and was concerned about local residents supporting local business and express something needs to be down to help out local merchants. Mayor Escamilla invited Mr. Cornell to attend the January 8th Economic Development workshop to talk about these types of issues.

Bill Orescan, Jackson, stated he made a formal request to remove the curtain blocking a speaker in city hall chambers and nothing has transpired. He resubmitted three requests for public information regarding the cost analysis for the replacement of aging water line, installation of sanitary lines and repaving of streets for the Court Street/Water Street/Snouger Alley Water/Sewer Line Replacement and Paving Project. He provided a copy of staff's response to his requests and stated the information was not complete and requested complete costs.

4. CONSENT CALENDAR.

- a. Approval of Minutes of October 9, 2007 meeting.
- b. Approval of Expenditure Report for the period of December in the amount of \$300,543.47.
- c. Approval of Salary related items for November the amount of \$ 289162.92.

- d. Receive Jackson Police Department Monthly Report for November 2007.
- e. Receive Jackson Fire Department Monthly Report for November 2007.
- f. Receive Building Department Monthly Reports for November.

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

- 1. Councilmember Stidger abstaining on the approval of Check 228453 in the amount of \$15.00 for Christy Stidger.**
- 2. Vice-Mayor Rodriguez abstaining on the approval of Check 228467 in the amount of \$35.00 for Terri Works.**
- 3. Mayor Escamilla abstaining on the approval of the Minutes for the October 9, 2007 meeting.**

5. ADMINISTRATIVE REPORTS.

Fire Chief Morton reported the Jackson Fire Department responded to 56 calls last month, 9 were fire related and 23 percent of the calls were outside of the city limits for automatic aid to the AFD. The annual total to date is over 800 calls.

City Manager Daly reported on the following items:

- 1. Attended the ACTC meeting regarding improvement for Argonaut Lane, three alternatives were presented to public.
- 2. Discussion with Renee Chapman, Foothill Rideshare regarding a Park and Ride program at the Busi Parking lot.
- 3. The Economic Development workshop is scheduled for January 8, 2008 at 6:00 p.m. at the Civic Center.

6. COUNCIL REPORTS.

Councilmember Nunes reported he had attended the Amador County Solid Waste Management on December 6.

Councilmember Rodriguez reported on the following items:

- 1. Attended the ACTC presentation regarding the alternatives for Argonaut Lane, which was very informative.

Councilmember Gonsalves reported on the following items:

- 1. The Amador Council of Tourism meeting is scheduled for Thursday, December 20.
- 2. The AFPA meeting is scheduled for Thursday, December 20 at the Amador County Administrative office. Future fire protection will be discussed.

Mayor Stidger stated he was proud to have served on the city council.

Councilmember Escamilla reported on the following items:

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1. Attended the Regional Planning Committee meeting held November 29.
2. She has been developing a new program for junior high and high school students in Amador County to learn more about the city of Jackson and local government to meet with City Council, Mayor's Honored Guest. Interested students should contact the City Manager.

DISCUSSION CALENDAR

7. ACES Waste Services Rate Increase Request.

City Manager Daly stated ACES was awarded the City's solid waste collection franchise in 1998. They began providing solid waste collection and recycling services to residents and businesses in July, 1998. The franchise agreement contains specific language regarding rate increases. The franchise agreement with ACES runs through June 30, 2014. Now into the tenth year of the agreement, any rate increase request is limited to the change in Consumer Price Index for the applicable period since the last rate adjustment and shall be subject to City Council review and approval, barring specific exceptions detailed in the agreement. The San Francisco/San Jose/Oakland index, for All Urban Consumers is the index specified in the franchise agreement. The latest data available for this index is an increase of 3.3%

The provided letter details the request for the annual CPI related increase, but also notes that an additional early year increase may be necessary to cover the cost of a fee increase at the transfer station in Ione. It is estimated that this increase could amount to 1.6%. ACES continues to provide the contracted services in a professional manner and this request is within the limitations established in the franchise agreement and recommends approval.

Mayor Escamilla opened the public discussion.

Marilyn Lewis, Jackson, spoke in support of this rate increase.

Hearing no further comments from the public, Mayor Escamilla closed the public discussion.

Moved by Councilmember Stidger, seconded by Councilmember Nunes, and unanimously carried to approve the ACES Waste Services, Inc. (ACES) rate increase request of 3.3%, effective January 1, 2008.

8. Request from Amador Transit Project Team for Resolution of Support.

City Manager Daly reported Mr. Devlin has requested the City Council accept tonight's presentation and consider adoption of the resolution supporting alternatives to gas powered automobiles with Neighborhood Electric Vehicles (NEVs) and associated supporting infrastructure.

Sharon Hewitt, Amador Transit Project Team, presented the slide presentation describing the basic idea of the plan, which is to reduce car trips in the high traffic areas from Jackson to Sutter Creek and at the same time, reduce vehicle emissions. These vehicles may travel on any public roadway with a posted speed limit of 35 miles per hour or less and must obey all

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the same vehicle code regulations as a gas-powered vehicle. A network of special Quiet Alternative Transit Lanes (QATLs) for the NEVs could remove local vehicle trips from the highways and other main thoroughfares, while NEV drivers enjoy a safe, quiet and environmentally friendly mode of transportation.

Mayor Escamilla opened the public discussion.

The following individual spoke their concerns regarding the Amador Transit Project Team alternative transit in Amador County, Jack Georgette, Judy Jebian and Bill Orescan.

Hearing no further comments from the public, Mayor Escamilla closed the public discussion.

Moved by Councilmember Stidger, seconded by Councilmember Rodriguez, and unanimously carried to approve Resolution 2007-51, Supporting the Amador Transit Project's Advancement of Neighborhood Electric Vehicles as an Alternate Mode of Transportation.

9. Water/Sewer Financial Issues.

City Manager Daly reported at the November 26, 2007, City Council meeting, the proposed water and sewer rate increase were not adopted by the City Council. Several questions were raised at the meeting regarding the protest procedures and the method of meeting the requirements of Proposition 218 that are now applicable to water and sewer fee rate increase. Staff was directed to conduct additional research into the protest procedures contained within Proposition 218, to reanalyze the fee structure of both utility rates, re-evaluate the eligibility of Rollingwood Estates residents, review the options for a low-income discount for seniors or all low-income residents regardless of age and to update the development mitigation fees for new connections to the water and sewer system to ensure new projects are paying for their share of the needed services.

For reviewing the fiscal issues related to both the water and sewer funds, it is recommended that the City Council appoint a committee to review the water and wastewater rates prior to establishing an amount to propose to the customers.

Mayor Escamilla opened the public discussion.

Mr. Orescan at the February 25, 2008 City Council meeting requested the following information be included in these minutes.

Bill Orescan, Jackson, provided a chart of "Comparison of Residential Water Bills" which was previously submitted at the November 13 City Council meeting. He explained he had submitted the chart to show the water rates in Jackson are so much higher than several larger cities in California. He felt it was ridiculous to compare Jackson to any other community because they are all large metropolitan cities. On the chart the cities with asterisk are private agencies for profit and are governed by the California Public Utilities Commission (CPUC).

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He explained every three years all rate increases must go through the CPUC and usually the CPUC knocks them down. The CPUC looks out for the consumer and we don't have that here in Jackson. He inquired if the City Council had looked at his data, calculated how many cities were paying a lot less than Jackson and whether the City Manager had been requested to research this information. He stated it only took him two days to get this here information.

He stated the point was, the water increase is the City Council fault, and they created this problem because they never actually looked at the ramifications. They never researched it and they did not ask the City Manager to do a darn thing about it. He felt the City Council should get some expert advice because there are a lot of cheaper water rates in California.

Hearing no further comments from the public, Mayor Escamilla closed the public discussion.

It was the consensus of the City Council to direct staff to publish a notice requesting volunteers for a citizen committee to analyze the need for rate increases for the water and sewer utilities with appointment to be made at the January 14 City Council meeting.

10. Consideration of Options for Filling Vacant City Council Seat.

City Manager Daly reported at the November 26, 2007, City Council meeting, Councilmember Drew Stidger announced his resignation from the City Council effective December 31, 2007. His four year term as a City Councilmember was scheduled to expire in November 2008.

Government Code Section 36512 details the options for filling a City Council vacancy. The three options currently available to the City Council include:

1. Within 30 days of the commencement of the vacancy, the Council may appoint a person to serve the remainder of the unexpired term of the former incumbent. No later than January 30th
2. The City Council may call an election to fill the vacancy, to be held on the next regularly established election date not less than 114 days after the call. At this time, the next election is June 3, 2008. No later than January 30th
3. Leave the seat vacant until the November 2008 election.

After considerable discussion amongst the City Council the following motion was made:

Moved by Vice-Mayor Gonsalves, seconded by Councilmember Nunes, and unanimously carried to select option number one and directed staff to publish an announcement in the newspaper (and notify other media) that interested residents should submit a letter of interest by Thursday, January 3, 2008, for consideration of appointment at the January 14, 2008, City Council meeting.

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13. ADJOURNMENT *to special Economic Development Workshop with the Historic Jackson Business Association on Tuesday, January 8, 6:00 p.m.*

Adjourn 9:10 p.m.

ATTEST:

Gisele L. Cangelosi, City Clerk

Date Approved: