Mayor and Council Members
Robert Stimpson, Mayor
Wayne Garibaldi, Council Member
Marilyn Lewis, Council Member – via telecon
Keith Sweet, Council Member

ABSENT: Connie Gonsalves, Vice Mayor

John Georgette, City Clerk

Staff Members:
Josh Nelson, City Attorney
Yvonne Kimball, City Manager
Max Godde, Public Works Superintendent
Debbie Mackey, Fire Chief
Chris Mynderup, Police Chief
Patti Ungaro, Administrative Assistant

Mayor Stimpson called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG.

Mayor Stimpson led the Pledge of Allegiance.

1. APPROVAL OF AGENDA.

Motion to approve the City Council Agenda dated June 22, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 3 to 0 roll call vote:

AYES: Stimpson, Garibaldi, Sweet
NOES: None
ABSENT: Gonsalves
ABSTAIN: Lewis

2. PUBLIC MATTERS NOT ON THE AGENDA.

Discussion items only, no action will be taken. Any person may address the Council at this time on any subject within the jurisdiction of the City Council. Please note – there is a three (3) minute limit.

- Paul Jones, Jackson resident, offered prayer.

- Matthew Waverly, Board President Amador Swim Team, said the Amador Polar Bear/Swimming Team sent a letter to Council requesting permission to allow the swim team to use the Jackson pool.

- Julia Sierk, Head Coach, Amador Polar Bears Swim Team, also encouraged Council to consider and allow their program to continue in the Jackson pool with restrictions for the youth of our community.
Mayor Stimpson asked for any further Public Comment, after none, seeing none, he moved on to Consent Calendar.

3. **CONSENT CALENDAR.**

Items listed on the consent calendar are considered routine and may be enacted by one motion. Any item may be removed for discussion at the request of a Council Member.

   a. Approval of the June 8, 2020 Meeting Minutes.
   b. Approval of Expenditure Reports in the amount of $59,389.43.
   d. Resolution No. 2020-16 Water Resolution.
   e. Resolution No. 2020-19 Amending the 2019-20 Budget to Incorporate CDBG Fund Activities as related to the Private Sewer Lateral Grant Program.
   f. Resolution No. 2020-20 Budget Extension Resolution.
   g. Resolution No. 2020-21 Adopting Conflict of Interest Code.

*Motion to approve the Consent Calendar dated June 22, 2020 as presented. Moved by Councilmember Sweet, seconded by Councilmember Garibaldi, and carried by a 4 to 0 roll call vote:*

**AYES:** Stimpson, Garibaldi, Lewis, Sweet  
**NOES:** None  
**ABSENT:** Gonsalves  
**ABSTAIN:** None

4. **ADMINISTRATIVE REPORTS.**

This section is to provide staff an opportunity to present oral status reports on issues. No legal action is expected to be taken by the Council.

**Public Works Superintendent, Max Godde**

- At the last Council meeting he stated the After-Hours Emergency for Water/Sewer to call City Hall at 209-223-1646 but realized it is for Water Emergencies only. He provided a correction for After Hours “Sewer Emergencies” to call the Sheriff’s Office at 209-223-6513 and they will have a list of who is on-call.
- The Pine Grove Fire Camp cleared a fire break around the 900 block of North Main and on the Oro de Amador property. They were going to work at the Cemetery but got a Fire Call. They will return at some point to work out at the Cemetery.

**City Planner, Susan Peters**

- GP Amendment project at the Planning Commission Meeting last Monday night at the Board of Supervisors Chambers. They had 35+ attendance while practicing social distancing at best. This
project is for the Coffee Kiosk and the decision from the Planning Commission was to deny the applicant who has subsequently requested to put his application on an indefinite hold.

- Has 2 additional projects; a Rezone coming to City Council possibly in July; this is a housekeeping rezone on Jackson Gate Road that has a Recommendation for Approval from the Planning Commission and another Rezone General Plan Amendment for Ron Regan for the courthouse properties that will be going to the Planning Commission maybe in July pending how the environmental work goes and consultation with interested tribes.

- Sutter Street Extension project is in full swing. The consultant is working with EPA & DTSC on potential alignments. Work is expected to be completed end of August. Planning Commission and City Council can expect to see something around September-October timeframe with some options.

- Creek cleaning project, the permit has expired for the work crew to come clean the creeks. Talked with Dept. Fish & Wildlife, consulted with the City, consulted with Environmental to prepare initial study and needed a negative declaration, all well outside the City Planner’s scope. An Administrative Draft was completed and CP Peters provided her comments back to the Consultant, should hear something back by end of July. Permit was requested for 12 years.

Police Chief, Chris Mynderup

- Provided debrief on the June 10th planned Black Lives Mater peaceful protest at Detert Park. The protest was very peaceful with only a couple of agitators who were quickly addressed and asked to leave. There were approximately 200 people in attendance and most were very supportive and thankful for Amador County law enforcement. Thank you to the organizers who started and ended the protest as advertised and for leaving Detert Park cleaner than how they found it. The following allied law enforcement agencies and other organizations that assisted with this peaceful protest were thanked;

  o Sutter Creek Police Department
  o Ione Police Department
  o Amador County Sheriff’s Department
  o Calaveras County Sheriff’s Department
  o Amador County Probation Department
  o Amador County CHP
  o Mule Creek State Prison
  o Amador County District Attorney’s Office
  o Jackson Fire Department
  o American Legion Ambulance Service
  o Sierra Chaplaincy
  o Jackson Public Works
  o Amador County School District
  o Evacuation Teams of Amador (ETA)

Fire Chief, Debbie Mackey

- Weed abatement continues. JFD contacted all property owners regarding overgrown lots and brush piles. JFD has a dozer line along Rancheria property off French Bar Road that backs up against Peck Hill. Still working on Oro de Amador property getting that wrapped around providing a break by Rollingwood.
• Recruit Academy continues. They are a strong group and Instructors are doing a great job. They have about 1 month left of training and will have completed their program.
• June 16th the JFD Water Tender responded to the Walker Fire in Calaveras County with Captain Sharp and Firefighter Martinez. The fire was off of Walker trail and Hogan Dam Rd. burning over 1400 acres.
• On June 18th JFD Engineer Jesse DiGirolamo, Victor Anaya, and Josh Vincent responded to a vegetation fire on Butte Mountain on Shirley and Sandra Roads burning over an acre. It is believed to have been caused by a tree branch falling on a power line.

City Attorney, Josh Nelson cited the Governor’s order mandating face masks at all indoor places, anywhere the public goes. We will be implementing as appropriate.

City Manager, Yvonne Kimball
• As a follow up on Chief Mynderup’s report on the BLM demonstration that she received a call from a Main St. Merchant expressing her gratitude toward Mayor Stimpson and Chief Mynderup’s leadership and presence at the BLM demonstration last week. CM Kimball also gave kudo’s to Mayor Stimpson and Chief Mynderup.
• As an update to Council and audience, City Hall rolled out the Small Business Grant with about 28 applications received to-date. Application deadline is June 30th.
• The City is also eligible for a CDBG Program that is related to the Coronavirus this time. It is actually the only CARES funding that the City is eligible for. We will have to apply for it and a Public Notice has been sent out for a Public Hearing at the July 13th City Council Meeting. If anyone needs or knows someone who needs funding from the Government; come to the meeting as we want to hear from you. The City is eligible for $73,000.
• Starting the 1st week of July, City Hall and the Police Department Administration will begin Furlough schedule on Friday’s, working 9-hour days Monday-Thursday, closed Friday’s.

5. COUNCIL REPORTS.

This section is to provide Council members an opportunity to present reports on their activities and to request item be placed on future agendas.

Council member Sweet – nothing to report.

Council member Lewis – nothing to report.

Council member Garibaldi – nothing to report but wanted to make a comment regarding the pool; the big part of closing the city pool was not due to COVID but a budgetary issue. From a public standpoint, our revenues are down significantly and need to make it up somewhere. With COVID situation and its uncertainty, Council felt we could save money by keeping pool closed. The Council totally supports the Polar Bears Swim Team and will Yvonne and Max try to see what they can do.

Vice Mayor Gonsalves – absent.
Mayor Stimpson — spent the day with Chief Mynderup at the BLM rally and it was impressive to see the organization and the personnel involved from assembling to deployment around the city. He was impressed and glad to be part of it. Still involved with some COVID meetings with the Health Department and the Reopen Amador Committee.

6. **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.

   a. **Possible Award of Professional Service Contract to De Novo Planning Group for the General Plan Update.**

   City Planner, Susan Peters stated the General Plan is basically the blueprint for development for the city. The General Plan consists of 7 man-dated elements; land use, open space, conservation, housing, circulation, noise and safety. The housing element is current and is the only element that has to be certified by the State in order to receive funding. Because of this we have kept this element up to date. There is not a lot of funding left to bring the other elements up to date. The land use element was done in 2008, all the other elements are quite outdated. We never had the funds until recently to do a GP wholesale update. Last year, the state released SB2 funds that we applied for and received a $160K grant to prepare the General Plan update and the associated Environmental Impact Report (EIR). $160K is not a lot of money to cover the EIR alone, much less the Update with an EIR. Most jurisdictions spend closer to $300K with an aggressive timeline by spending the grant funds by June 2022. Aggressive timelines, not a lot of money meant we only received 1 applicant from the RFQ process. Fortunately, it was from De Novo - 2 of the principals have worked in the City of Jackson before on projects, most known was for the Home Depot EIR, and have an established working relationship. They work with small jurisdictions doing GP Updates and EIR’s and are well qualified. The recommendation from Staff is to authorize City Manager approval to execute the De Novo Contract.

   Mayor Stimpson opened for Public Comment. After hearing none, seeing none, he moved back to Council.

   **Motion to award the contract to De Novo Planning Group for the General Plan Update and Environmental Impact Report dated June 22, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 4 to 0 roll call vote:**

   **AYES:** Stimpson, Garibaldi, Lewis, Sweet
   **NOES:** None
   **ABSENT:** Gonsalves
   **ABSTAIN:** None
b. Resolution No. 2020-22 Authorize the City Manager to enter into an Option Agreement with the City of Rohnert Park regarding PG&E Rule 20 Credits.

City Manager, Kimball reported she had several cities approach City of Jackson to purchase our PG&E Rule 20 credits. The City of Jackson does not have any eligible projects and has roughly $300,000 available. Most recently, Rohnert Park expressed interest with a proposal and $11K upfront option fee to hold the credits for them. Upon them needing the credits, they will pay the City of Jackson an additional $76,000. The recommendation is for the City to adopt Resolution and authorize City Manager to enter into agreement.

Council discussed the proposal and terms of the PG&E credit program. CA Nelson, stated the CPC is looking at this program and the way it works as projects never pencil out for smaller jurisdictions. It would take a lifetime to save for a project. The Commission realizes this but they don’t know how to adjust it currently. Until they make those changes, it is very unlikely we would get enough credits under the current methodology to afford a project. If you don’t use the credits, you lose them.

Mayor Stimpson opened for Public Comment, after no comment, he moved back to Council.

Motion to pass Resolution 2020-22 Authorizing the City Manager to execute the Rule 20A Credit Sale Option Agreement with the City of Rohnert Park dated June 22, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 4 to 0 roll call vote:

AYES: Stimpson, Garibaldi, Lewis, Sweet
NOES: None
ABSENT: Gonsalves
ABSTAIN: None

c. 2nd Hearing and Possible Adoption of Ordinance No. 715 Fire Camping Ban.

City Manager Kimball clarified this is the 2nd hearing on this subject, the 1st hearing on this Ordinance was in April. At that time Council requested staff to create a list identifying these areas. Staff has since met and came up with the list as outlined in the staff memo. It is recommended for Council to adopt this Ordinance.

Mayor Stimpson asked Council if there was anything missing that might need to be added. CM Kimball stated this list was longer but staff cut it back to primarily city properties.

Mayor Stimpson opened for Public Comment.

Thornton Consolo, Jackson resident, stated he is supportive of this Ordinance but wanted to see emphasis on the spillage into our creeks and waterways with the contamination of all sorts of chemicals and biohazards.

After no further public comment, Mayor Stimpson went back to Council.
Motion to approve adoption of Ordinance No. 715 Protection of Critical Infrastructure and Wildfire Risk Areas dated June 22, 2020 as presented. Moved by Councilmember Sweet seconded by Councilmember Garibaldi, and carried by a 4 to 0 roll call vote:

AVES: Stimpson, Garibaldi, Lewis, Sweet
NOES: None
ABSENT: Gonsalves
ABSTAIN: None

d. Review of the FY 19/20 Finance Status Reports for April and May 2020.

City Manager Kimball reviewed highlights of the budget comparison report for April and May. Revenue’s were better than expected, mainly due to the receipt of property taxes and building permits. Mostly surprising revenues were the vehicle license fees and gas taxes which met the pre-COVID budget projections. Expenditures are also higher. Staff did a lot of things to save money. But some things were out of our control such as the Insurance Liability and Property Insurance which increased significantly. The General Fund at this point still projected a $200K plus deficit with the TOT still not where we want it to be. Water and Sewer funds are doing better. Mayor Stimpson added that this is looking a whole lot better since the beginning, it was originally a $400K deficit in the earlier projections, but still not what we want to see.

CM Sweet asked about transferring fund from other funds to meet the General Fund reserve requirement. Manager Kimball said that the Finance Committee has brought that to her attention. She spoke to the auditor and figured out how to make it happen. She confirmed that the city’s policy requires the General Fund has an unassigned fund balance equal to two months of expenditure. With that requirement, the city’s General Fund assigned fund balance needs to be around $600,000 and currently, it is $350,000 and will be reduced by the end of the fiscal year due to COVID. Kimball said she will bring a resolution to memorialize the interfund fund transfers.

No Public Comment was made on item 6d.

e. Resolution No. 2020-17 Authorizing Modifications of the FY 19/20 Budget and Directions for FY 20/21 Budget.

Council reviewed and discussed the list of cost-savings measures.

Mayor Stimpson opened for Public Comment.

Thornton Consolo, Jackson resident, brought up item 5 on the list of cost-saving measures stating cutting this item is a mistake. Reason is in a study, by Law Enforcement Magazine, it was reported that Police vehicles are 30% safer when taken home by their officers. Most of the statistics from damage and wear come from stations that don’t have the protective storage space. Vehicles kept at home are also better kept and maintained. For those living in the City, it could improve emergency response time. Where is the savings? In addition to parking lot here. There is limited to no parking available up top, and extra cars down in the garage where it’s not safe either. He encourages item 5 to be stricken or modified from the list. The other item he doesn’t agree with is reducing the medical
aide. Chief Mackey explained the reduction of the medical aide was due to COVID-19. When going out on medical calls, only 1 person can enter the residence to establish what is as necessary and they call for extra help if needed. Even though they have their volunteers, they run with 3 volunteers everyday and it is the 4th person that was eliminated. Chief Mackey understands the training but this is temporary due to COVID, once lifted or modified, they will go back with the 4th person and re-visit the budgetary for the stipend. Dr. Kerr authorized running an engine with 4 people now but they still cannot all go into the homes.

CM Garibaldi commented that Council set the City Manager the task to save money given the decreases in the revenue picture and given it’s the middle of June and we have not even seen the budget for 20/21 year and is inclined to support this list “as is”. When talking about furloughs and such, he hopes it was clear to everyone this was a measured approach that is evolving and will be reviewed every couple of months to see if we are saving or where we need to save. If revenues are matching our expenditures and if the revenue picture changes, we will modify when it allows.

**Motion recommending to pass Resolution 2020-17 dated June 22, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 4 to 0 roll call vote.**

AYES: Stimpson, Garibaldi, Lewis, Sweet
NOES: None
ABSENT: Gonsalves
ABSTAIN: None

**f. Police Chief Update regarding Protocols on the use of force and Firearms Policies and Procedures.**

Chief Mynderup addressed the hot button right now over the horrific incident with George Floyd. Further stating that California should be a role model for what is going on here and how they do not train like this here. He also questioned where was the compassion? It was appalling what they saw and question their policies and procedures.

Chief Mynderup provided Council an update on the Police Department’s policy and procedures as it relates to Use of Force and Shooting. These policies and procedures are kept up to date, in compliance with California State Law, and accessible to the public on the city’s website.

Mayor Stimpson agreed with Chief Mynderup how important training is.

CM Garibaldi asked Staff along with the Mayor to prepare a resolution on behalf of the Council in support of our law enforcement officers.

Mayor Stimpson opened for Public Comment, after hearing none, seeing none, announced Regular Session will break at 8:40pm for Closed Session and return to Regular Session for last Discussion Item.
7. **CLOSED SESSION.**

Before going into Closed Session discussions, Mayor Stimpson opened to the public to offer comments on any of the Closed Session items.

Mike Hewitt, Jackson resident, commented on the Oro de Amador Property being discussed at Closed Session. The Oro de Amador property has a lot of recreational purpose. ACRA facility would like to have a Multipurpose building on this property and has it in their master plan. They would like to build a 2.5-mile trail and have crews ready to go. It was brought up of potential contamination – it’s probably not as bad as you think and suggests to check the DTSC plans and the Oro de Amador Study Group who was involved in this property for well over 10 years and have done extensive studies and will know the potential hot spots and what was done to mitigate that. Mr. Hewitt is also a volunteer at the Kennedy Mines involved with building the trail there and seems that there are less homeless problems in the area now. He just asks the Council to consider public input before a sale is made and consider the acceptance of the Oro de Amador property for the citizens as well as looking at the money aspects that are a factor.

Sharon Hewitt added a couple comments that she sees the Oro de Amador property as an opportunity to leave a positive legacy, recreation trails and history for future generations and visitors to the Jackson area. The potential value of this property versus bringing in tourism dollars to exercise this option can’t be overstated. This property was donated to the city for the purpose of all to enjoy it. If you do decide to sell this property, she’s hopeful it will come before an open session of the City Council before a final decision is made.

- **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PROPERTY:** Oro De Amador Property, Jackson Agency negotiator: Yvonne Kimball, City Manager, and Josh Nelson, City Attorney; Negotiating parties: Jacob Tollett and Logan John Carnell. Under negotiation: Real estate purchase offer price and terms of payment.

- **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PROPERTY:** Oro De Amador Property, Jackson (real estate purchase offer) Agency negotiator: Yvonne Kimball, City Manager, and Josh Nelson, City Attorney Negotiating parties: Jackson Serbian Church. Under negotiation: Price and terms of payment.

- **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PROPERTY:** a portion of the Library Property parking lot, Agency negotiator: Bob Stimpson, Jackson Mayor, Josh Nelson, City Attorney; Negotiating parties: Amador County Board of Supervisors. Under negotiation: Price and terms of payment.

- **CONFERENCE WITH LABOR NEGOTIATORS**
  Agency designated representatives: Yvonne Kimball; Josh Nelson
  Employee organizations: Jackson Police Officers Association and Jackson Firefighters Association.

- **CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION**
  Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 1 case.
8. REGULAR MEETING - DISCUSSION CALENDAR (CONT’D).

a. Possible Approval or Rejection of Resolution No. 2020-23 Conveyance of Jackson Library Parking Lot Property (0.04 Area) to Amador County and Authorize Mayor to Execute Necessary Documents.

Mayor Stimpson stated this item was discussed during Closed Session and all Council members were in agreement with the title transfer with the stipulation of Jackson reserving an easement to ensure public parking.

Motion to approve Resolution No. 2020-23 with addition of easement. Moved by Councilmember Sweet, seconded by Councilmember Garibaldi, and carried by a 4 to 0 roll call vote:

AYES: Stimpson, Garibaldi, Lewis, Sweet
NOES: None
ABSENT: Gonsalves
ABSTAIN: None

8. REGULAR MEETING ADJOURNMENT.

Mayor Stimpson adjourned the meeting at 8:55 p.m.

ATTEST:

John Georgette, City Clerk

07/13/2020
Date Approved