Pursuant to the Governor’s Executive Order N-29-20, the Jackson City Council will be conducting its meeting via Zoom Teleconference only.

Public Teleconference Line: 1-623-404-9000
Meeting ID: 148 282 6048

Join from PC, Mac, Linux, iOS or Android: https://meetings.ringcentral.com/j/1482826048

Zoom participants will be muted upon entry. Should you wish to speak upon Public Comment, please “Raise your Hand”, you will be unmuted one at a time and asked to state your name.

Public Comments will also be accepted by email at cinfo@ci.jackson.ca.us. All emails MUST be received by 5:00 pm day of meeting. Late submissions will not be accepted. In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (209) 223-1646 (voice) or (209) 223-3141 (fax).

1. APPROVAL OF AGENDA.

Approval of agenda for this date; any and all off-agenda items must be approved by the City Council (pursuant to §54954.2 of the Government Code).

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.

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 August 10, 2020 Meeting Minutes.
   b. Approval of Expenditure Report in the amount of $222,745.87.
   e. Resolution No. 2020-31 Biennial Notice for Conflict of Interest Codes.
   f. Acknowledgement of the Cal Public Employee Retirement System (PERS) Unfunded Liability Payment of $505,861.00.

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.
5. **COUNCIL REPORTS.**

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

6. **DISCUSSION CALENDAR.**

- d. Resolution No. 2020-34 CDBG-CV Program -Authorizing Application.

7. **ADJOURNMENT.**

Regular meeting adjournment.

8. **CLOSED SESSION.**

- PUBLIC EMPLOYEE PERFORMANCE EVALUATION   Title: City Manager

9. **CLOSED SESSION ADJOURNMENT.**

Closed Session adjournment.

**UPCOMING MEETINGS:**

- September 9, 2020  10:00 am  Cemetery Meeting *(to be confirmed)*
- September, 14, 2020  7:00 pm  Council Meeting
- September 21, 2020  6:30 pm  Planning Commission Meeting *(to be confirmed)*
- September 28, 2020  7:00 pm  Council Meeting

**UPCOMING CLOSURE DATES FOR CITY OFFICES:**

- September 7, 2020  Labor Day
- October 12, 2020  Columbus Day

**Posted:** City Hall, 33 Broadway, Jackson

Agenda materials will be available for review (pursuant to §54957.5 Government Code Section) in the City Clerk’s office in City Hall.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (209) 223-1646 (voice) or (209) 223-3141 (fax). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Visit our website at [http://ci.jackson.ca.us](http://ci.jackson.ca.us) for copies of previous agendas, minutes and City budget.
Mayor Stimpson called the meeting to order at 7:02 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 August 10, 2020 as presented. Moved by Vice Mayor Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 roll call vote:

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

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.

Thornton Consolo, Jackson resident, commented that we are near to the end of summer with fire and flood dangers, rain early October and the creeks are full of debris and growth. Bree Wilder, Acting PW Superintendent acknowledged that the request for creek cleaning has already been processed.

Corwin Haynes, Jackson resident, who lives on Argonaut Lane has been having problems with people speeding and running stop signs by his home. He stated that he already notified JPD but has not seen any officer out there as of yet. He would like this addressed and will be back in a couple meetings to follow up. Chief Mynderup clarified to Mr. Haynes that his officers have been out there with most recently last Tuesday. Chief also explained that every officer provides daily logs and he is welcome to come to JPD and request this information. Discussion was held between Council and Mr. Corwin on
surveillance ideas in that area. City Attorney Nelson stated this has turned into discussion and expired
time limit.

Paul Jones, Jackson resident, offered prayer.

After no further Public Comment, Mayor moved to next item.

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.

   b. Approval of Expenditure Reports in the total amount of $1,145,595.24.
   c. Approval of Payroll Expenditure Report in the amount of $816,608.65.

Motion to approve the Consent Calendar dated August 10, 2020 as presented. Moved by Vice Mayor
Gonsalves, seconded by Councilmember Garibaldi, and carried by a 5 to 0 roll call vote:

   AYES: Stimpson, Gonsalves, Garibaldi, Lewis, Sweet
   NOES: None
   ABSENT: None
   ABSTAIN: Sweet; Check #12369 only

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.

Acting Public Works Superintendent, Bree Wilder
   • Survived his first week after Max’s retirement. He accepted the challenge with PW being short-
handed. He thanked Trevor, Robert and Rodney for all the extra efforts and willingness during
these times.
   • Has put in an ad in the paper again for the Maintenance Worker I position – deadline is August 20th.
   • After they got their Sweeper back it blew a hydraulic hose and did not get out last week. It is
now fixed and swept Main St. and Hwy.
   • The water department has been doing some fire hydrant maintenance. They will finish the
installation of the first round of radio read meters this week.

Police Chief, Chris Mynderup
   • Reported he had a chance to review the end of year statistics compared to FY18-19 and found an
overall increase of 16% in total incidents. He outlined additional incident statistics that rolled up
Fire Chief, Debbie Mackey

- COVID cases continue to increase, they are responding daily to positive cases. We were having a difficult time obtaining PPE, but assistance from the Mayor and our Emergency Operations Center assisted us in having Tyvec suits and N95 masks. PPE is on backorder due to increase in demand.
- They responded a water tender with Engineer Sharp and Firefighter Roots to the Clay incident. The fire burned East of Wilton and burned over 700 acres.
- They had a fire in the park up at Gold Ridge, a cigarette was extinguished in the bark.
- They received a grant in the amount of $7,900 to purchase PPE, this is an Assistance to Firefighters grant.
- We have out Captains promotional that will be taking place at the end of September.
- Strike team list after the 20th.
- Tyler Nolan is returning.
- They have 2 new volunteers.
- The Electra fire burned just under 1 acre, E6332 responded to the call.
- Water rescue at Electra, rafters were unaccounted, E6331 was diverted from the Electra fire to assist with the rescue, R-4 was dispatched and they picked up our technical rescue trailer to assist with the incident.

City Attorney, Josh Nelson stated they have been tracking a number of cases working their way through related to referendum on the water/sewer rates. He reminded the Council of a case that Amador Water Agency won. The court just recently decided and clarified that the Referendum on water/sewer rates are not permitted under Prop 218. The only way to reduce these rates is through the Initiative. This sounds like a technical issue but it has a big difference because Referendum automatically stated the approved affected date of the rate resolution until it is submitted to the voter and the Initiative is protected. It is a good win for local governments.

City Manager, Yvonne Kimball announced the City’s new website is up now. There are still some page updates needed and some tweaking on the technical side, but the domain is secure. CM Kimball participated on a call with all City representatives to discuss how to share the County’s $3.8M CARES grant that needs to be spent by December 2020. She then met with her department heads and came up with a list of ideas including a Mask Outreach program, additional funding for the City Hall roof, funds for a Lease partnership to utilize the “sink hole” lot on Main St. for additional parking. The request totals about $1M and was submitted to the County. The County Manager acknowledged receipt of the list but no word back to-date.

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 attended an ACTC meeting, nothing on the agenda that affected us. However, he sent out an email, that was broadcasted by various organizations in the County, there is a meeting in Rancho Cordova with respect to Hwy 16. Amador County has been trying to get the City of Sacramento and Rancho Cordova that has approximately 55,000 homes in the pipeline along/near Hwy 16 to engage in a traffic study. A traffic study is a simple request and generally required. They also want the highway relinquished from State control to the County control. Due to the amount of flack from Amador County and other organizations, they have not been able to engage the Rancho Murrieta population who would also be affected by many stop lights on Hwy. 16 as we are. The City of Sacramento and several developers will be hosting a teleconference with respect to the issues along Hwy 16 on August 12th at 6:00 pm and encourages everyone to participate to show concern and substantiation. He forwarded the email to Council and others with this information and if anyone else is interested, let him know and he will provide.

Council member Lewis – nothing to report.

Council member Garibaldi spoke in reference to the park fire in the bark, sounds like rubberized bark would be a “Capital Improvement” and may be able to use Park funds for that. Will be attending a Rec Agency meeting on Wednesday with one of the items being that the current Executive Director, Carolyn Fregulia, has tendered her resignation as of end of this year. The Recreation Agency will be holding a search for replacement, if anyone has a referral with a desire or experience in education and/or recreation agency to please send them their way or access the ACRA website at goacra.com. CM Garibaldi will be the Chairman until the end of this year for ACRA.

Vice Mayor Gonsalves – nothing to report.

Mayor Stimpson – nothing to report.

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. Presentation by EPA regarding Argonaut Mine Clean-up.

John Hillebrand and Michelle Rogow from EPA provided a presentation on the Clean Up efforts at the Argonaut Mine (reference copy of flyer sent to residents is in meeting packet). Following the Presentation, Council held discussion and covering their questions/concerns with EPA. They all realize a more effective truck route is needed to move the materials out and they will continue this study with minimal disruption to the residents.

No motion needed for this item, was for presentation and discussion only.
b. **2nd Reading and Approval of Ordinance No. 717 to Rezone 1460 Jackson Gate Road and Resolution No. 2020-27 Amending the City Jackson’s General Plan Land Use Designation and Zoning Map.**

City Manager Kimball summarized the staff report for the Rezone and GPA for 1460 Jackson Gate Road and clarified this is the 2nd Reading and Approval of Ordinance No. 717 and Resolution No. 2020-27.

Mayor Stimpson opened for Public Comment, after hearing none, seeing none moved back to Council whom made two (2) separate motions as follows:

**Motion to approve Ordinance No. 717 Changing the Zoning for Assessor’s Parcel No. 020-031-001, 1460 Jackson Gate Rd from Residential Duplex to Residential Medium Density dated August 10, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 5 to 0 roll call vote:**

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

**Motion to approve Resolution No. 2020-27 Adopting a GPA for Mr. Mark Carman at, 1460 Jackson Gate Rd from Residential Duplex to Residential Medium Density dated August 10, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Vice Mayor Gonsalves, and carried by a 5 to 0 roll call vote:**

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

c. **Adoption of FY 20/21 Budget.**

City Manager Kimball gave an overview of the budget and said it has been a challenging budget to propose due to the uncertainties with COVID. All funds were expected to be impacted. Water and Sewer funds are doing better after the new rates were implemented in the last couple of years. But they are not meeting the revenue projections made by the rate studies because of COVID impacts. Measure M is for the first time balanced largely because of the SAFER grant. The Swimming Pool continues to be supported by the General Fund and expects a full program year in summer of 2021. The General Fund is in deficit of $13,000. Data change daily. It is difficult to make any kind of projections. She then thanked Mayor Stimpson and Council Member Garibaldi for going over the drafts with her last few weeks.

Mayor asked if Council has any questions. CM Sweet said he appreciated the Finance Committee’s work. But he is concerned that the General Fund is not balanced. CM Garibaldi said when the Committee first met, the draft was in deficit by a lot more. The City Manager made some adjustments to reduce the deficit to the current $13,000. The COVID crisis made projections difficult. This is the
best someone could come up with at this point. He would like to closely monitor the spending and the
revenues to see where we actually are headed budget wise in a few months. Mayor Stimpson agreed.
CM Sweet said many employees had to take furlough days. Police and Fire did not need to this time. If
we have to do more budget cuts, he thinks Police and Fire need to participate in either furlough or
layoffs. CM Garibaldi agreed. So did Mayor Stimpson.

Mayor Stimpson opened for Public Comment. After hearing none, seeing none, he moved back to
Council. Councilmember Sweet requested to approve the first two (2) Resolutions separately from the
third (3rd).

Motion to approve Resolutions No. 2020-28 and 2020-29 for Setting Tax Appropriation
Limit and for Approving the City Operation Budget and City Capital Improvement Budget
for FY20-21, the dated August 10, 2020 as presented. Moved by Vice Mayor Gonsalves,
seconded by Councilmember Garibaldi, and carried by a 5 to 0 vote:

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

Motion to approve Resolution No. 2020-30 Authorizing Full-Time Positions in the City
Service Effective July 1, 2020, in Accordance with the Operating Budget for the 2020-21
Fiscal Year dated August 10, 2020 as presented. Moved by Councilmember Garibaldi,
seconded by Vice Mayor Gonsalves, and carried by a 5 to 0 roll call vote:

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

d. Civic Center Technology Update.

City Manager Kimball asked Patti Ungaro, City Administrative Assistant to cover this item. Patti
briefed the Council on the technology needs of the Civic Center, what we are doing to currently address
our issues, moving forward with staff recommendations and our ultimate goal while awaiting Council’s
direction.

Mayor Stimpson commented he personally likes the traditional meeting. Following Council discussion,
it was decided to try the next two (2) City Council meetings completely virtually on Zoom and continue
to looking into A/V resources. It was also noted that we check with Ring Central, who provided our
phone system, that they may have a dedicated IT team that can assist us. It is agreed we need technology
in the Civic Center for future uses, maybe not this year, but maybe we’ll be able to get some COVID
funds.
7. **REGULAR MEETING ADJOURNMENT.**

   Mayor Stimpson adjourned the meeting at 9:05 p.m.

ATTEST:

__________________________________
John Georgette, City Clerk

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The Building Department processed 33 total permits in July. The total number of permits increased from June's total of 16 permits.

Trends have been unpredictable during this time of uncertainty. Construction projects will continue to fluctuate during the dry season. There is hope that business and property owners will continue to invest in real estate. In July, due to increases in temperature, we saw an increase in building permits for mechanical equipment.

Site Improvements at the Five Star Storage facility on Thomas Drive have begun. This includes grading, retaining walls and drainage improvements to prepare for building additional storage units.

TESLA Energy Operations Inc. has begun work to install charging stations at the Busi Parking Lot. PG&E will do preliminary electrical service work to add power for the site. As work continues Council will be updated. This project should be completed the end of August or beginning of September.
CODE ENFORCEMENT UPDATE:

The Fire Department and Code Enforcement continues to make every effort to notify and work with property owners to reduce fire hazards on their property. Most abatements have been made. Thankfully... there have been no significant issues due to fire hazards within the City thus far. As complaints are received City Staff will perform inspections and address any properties that need attention. Letters will be sent and property owners will be given 10 days to comply or make special arrangements with Jackson Fire or Code Enforcement.

Jackson Rancheria Development Corporation took significant measures at the Jones Ranch Property to reduce fire risk. A full fire break, a minimum of 25’ wide, was created between the Jones Ranch and Peek Hill. Dead and downed trees/vegetation have also been reduced along this property line. This dozer line continues to the Grocery Outlet/Joann’s retail center.

City Staff and Adams Ashby Group are preparing for sewer repair work to begin at the Sutter Street Shopping Mall. Access arrangements are being made for work to begin in August.

There are no other pressing Code Enforcement Issues at this time.

PROJECTED:

The Building Department remains encouraged and optimistic moving into the final months of 2020. Our community-minded approach from a construction standpoint should keep permitting and inspection numbers steady in spite of the shut-down. Contractors are hopeful and continue to be busy with work. As the economy continues to rebound and as we move closer to the November Election it will be interesting to see how trends respond. There are no pending applications for Single Family Dwelling projects at this time. Inquiries have been made about open lots in the Pine Woods/Scottsville community.

For comparison... July of 2019 produced 19 approved building permits.

As always, if you have any questions or comments please feel free to let staff know. Council feedback is always welcome and appreciated.

ATTACHMENTS - JULY 2020 Building Permit Log
<table>
<thead>
<tr>
<th>Permit #</th>
<th>Permit Date</th>
<th>Permit Type</th>
<th>Description</th>
<th>Parcel #</th>
<th>Parcel Address</th>
<th>Project Cost</th>
<th>Total Fees</th>
</tr>
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<tbody>
<tr>
<td>8853</td>
<td>7/29/2020</td>
<td>Addition</td>
<td>Master Bedroom and Bath Addition, Sunroom and Covered Porch Addition</td>
<td>44-076-006-00</td>
<td>10316 AMADOR STREET</td>
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<tbody>
<tr>
<td>8843</td>
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<td>Deck</td>
<td>Remove and Replace Existing Deck/Balcony: Like-For-Like</td>
<td>20-410-016-00</td>
<td>900 BROADWAY</td>
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<tbody>
<tr>
<td>8847</td>
<td>7/27/2020</td>
<td>Demolition</td>
<td>Demolition Prior to Repairs: Fire Damaged Single Family Dwelling</td>
<td>20-040-016-00</td>
<td>1436 JACKSON GATE ROAD</td>
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<td>8856</td>
<td>7/31/2020</td>
<td>Electrical</td>
<td>ELECTRICAL: Provide New Power Service to Existing Laboratory Equipment</td>
<td>20-400-045-00</td>
<td>100 MISSION Blvd.</td>
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<td>125A Overhead Main Service Changeout</td>
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<td>8831 7/9/2020 Mechanical HVAC Changeout: AC Unit Only</td>
<td>044-500-009-000</td>
<td>2038 THOMAS DRIVE</td>
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<td>8833 7/9/2020 Mechanical HVAC Modifications to Existing System</td>
<td>044-460-011-000</td>
<td>432 SCOTTSVILLE Blvd.</td>
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<td>8834 7/9/2020 Mechanical SOLAR: Roof-Mounted Solar PV System, 9.2 kW, 24 Modules with Micro-Inverters.</td>
<td>20-032-005-00</td>
<td>1439 JACKSON GATE ROAD</td>
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<td>835 ARGONAUT DRIVE</td>
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<td>44-086-002-00</td>
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<td>8838 7/16/2020 Miscellaneous MISCELLANEOUS</td>
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<td>7/2/2020</td>
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<td>7/29/2020</td>
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<td>Group: Solar</td>
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<td>7/28/2020</td>
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<td>7/27/2020</td>
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<td>7/8/2020</td>
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<tr>
<td>Group: Swimming Pool</td>
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<td>7/29/2020</td>
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<td>Group: Tenant Improvement</td>
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Group Total: 4

Group Total: 1

Group Total: 1

Group Total: 3

Group Total: 1
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<tr>
<td>8837</td>
<td>7/14/2020</td>
<td>Tenant Improvement Cottage</td>
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<td>8,000</td>
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<tr>
<td>8835</td>
<td>7/9/2020</td>
<td>Tenant Improvement of Existing Commercial Building: Includes Ground-Level Professional Office and Lower-Level Residential Apartment. Scope of Work Includes New Plumbing and Electrical, New Windows, New Roof, Interior Apartment Walls.</td>
<td>20-264-004-00</td>
<td>25,000</td>
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BUSINESS PROMOTION & PUBLIC OUTREACH ACTIVITY REPORT

August 3, 2020
To: Jackson City Council, City Manager Yvonne Kimball
From: Lucy Hackett, Consultant, 209-304-5780

Beginning in July, with all commitments from the 2019-2020 fiscal year promotions program completed and no new program in place, I have halted promotions work (volunteer or paid) on behalf of the City of Jackson. I am no longer posting in support of Jackson businesses and attractions on Visit Jackson social media platforms or updating the Visit Jackson website, etc.

The attached invoice for July requests reimbursement for necessary website security service for the VisitJacksonCA website which was being redirected to a malware/prescription drug website. I paid the webmaster for this since she requires payment via PayPal, not available from the City.

- With the City’s new website coming on-line shortly, visitors to the VisitJacksonCA website will directed to the Visit Jackson section of the City website for information about attractions and to the Amador Council of Tourism website for information on events, lodging and dining.
- VisitJacksonCA.com web address, webmaster and server services will not be renewed when they expire at the end of the year. This move will save the approx. $1000/year for webmaster and server fees for the Visit Jackson website and eliminate duplication and/or conflicting information.
- In July, I coordinated with the City webmaster to complete the Visit Jackson section of the new City Jackson website.

ALSO:

- Supplies of the printed Main Street Walking Tour of 21 historic buildings (usually available in a rack on Main Street) and a Jackson rack card/brochure (with map of attractions, service, dining and lodging, etc) are exhausted. Currently, ACT/Chamber of Commerce/hotels/motels have no print materials with general information for visitors to Jackson.

- Plans to complete a Jackson Visitor Information site at Baker Street West (at the California Street entrance and staffed by Baker Street West volunteers) are on track to open weekends, beginning Labor Day weekend.

Thank you.
FORM MOTION

It is recommended that the City Council adopt Resolution No. 2020-31 Approving the Amended Conflict of Interest Code of the City of Jackson. We have previously adopted Resolution No. 2020-21 in June. Since then, the City Attorney’s office reviewed our Conflict of Interest Code and Resolution and provided updated provision language.

BACKGROUND

The Political Reform Act (the “Act”) requires all public agencies to adopt and maintain a Conflict of Interest Code containing the rules for disclosure of personal assets and the prohibition from making or participating in making governmental decisions that may affect any personal assets. The Conflict of Interest Code must specifically designate all agency positions that make or participate in the making of decisions and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that an agency regularly review and update its Code as necessary when directed by the code-reviewing body or when change is necessitated by changed circumstances (Sections 87306 and 87306.5).

Pursuant to the Act the City adopted a Conflict of Interest Code which was last amended and approved by the City Council on September 22, 2014. Review of the Code was done as directed by City Council as the City’s code-reviewing body and shows that it must be amended to include provisions for electronic filing for certain filers, clarify disclosure requirements for real property interests, and update FPPC citations. Staff has also included information for filers on ethics training as required under AB 1234.

Government Code section 87303 provides that no code or amendment to a code shall be effective until it has been approved by the code-reviewing body.

Attached is a redline version of the proposed amended Conflict of Interest Code showing the revisions made.

CONCLUSION

Adopt Resolution No. 2020-31 Approving the Amended Conflict of Interest Code of the City of Jackson as required under Government Code section 87303.

Attachments: Legislative (redlined) version of proposed amended Conflict of Interest Code.
Conflict of Interest Code (amended)
Resolution No. 2020-31
CONFLICT OF INTEREST CODE
OF THE
CITY OF JACKSON

(Adopted September 22, 2014 Amended August 24, 2020)

The Political Reform Act (Gov. Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulations and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of Jackson (the City).

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, shall electronically file their annual statements of economic interests directly with the Fair Political Practices Commission. All other officials and designated positions required to submit a statement of economic interests shall file their statements of economic interests with the City Clerk as the City’s Filing Officer. The City Clerk shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The City Clerk shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

All officials and designated positions required to submit a statement of economic interests shall receive ethics training as required pursuant to Government Code section 53235 (AB 1234). The City’s Filing Officer shall annually provide all filers with information on training available to meet the requirements of Section 53235, and maintain required records indicating the dates that filers satisfied the training requirements and the entity that provided the training. These records shall be retained for five years after the date of training and are public records subject to disclosure under the California Public Records Act. (Gov. Code § 53235.2.)
APPENDIX

CONFLICT OF INTEREST CODE

OF THE

CITY OF JACKSON

(Adopted September 22, 2014 Amended August 24, 2020)

PART “A”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code Regs. § 18730(b)(3), are NOT subject to the City’s Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments\(^\text{1}\). These positions are listed here for informational purposes only.

Finance Manager
Financial Investment Consultant

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\(^1\) Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.
## DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

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<th>DESIGNATED POSITIONS</th>
<th>DISCLOSURE CATEGORIES ASSIGNED</th>
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<td>Building Official\Building Inspector</td>
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<td>Chief of Police</td>
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<tr>
<td>City Attorney (not filing under GC § 87200)</td>
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<tr>
<td>City Engineer (ALL)</td>
<td>2, 3, 5, 6</td>
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<tr>
<td>City Planner</td>
<td>1, 2</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>5</td>
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<td>Police Captain</td>
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<td>Superintendent of Public Works</td>
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<td>Water Superintendent</td>
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### MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS

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<tr>
<th>Board/Committee</th>
<th>DISCLOSURE CATEGORIES ASSIGNED</th>
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<td>Accessibility Board of Appeals</td>
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<tr>
<td>Design Review Committee</td>
<td>1, 2</td>
</tr>
<tr>
<td>Site Plan Review Committee</td>
<td>1, 2</td>
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Consultants and New Positions

---

2 Individuals serving as a consultant as defined in FPPC Reg. 18701–18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs. 18219 and 18734.). The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code § 81008.)
DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests the designated position must disclose for each disclosure category to which he or she is assigned. Such economic interests “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of the City.

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Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee’s department, unit or division.

Category 7: All investments and business positions in business entities, and sources

---

3 This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)
of income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the City or its subdivisions.
Resolution No. 2020-31

Resolution of the City Council of the City of Jackson
Approving and Adopting an Amended Conflict of interest Code
Pursuant to The Political Reform Act of 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Jackson (the “City”), and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code (the "Code") which was amended by Resolution on September 22, 2014, in compliance with the Act; and

WHEREAS, pursuant to Government Code section 87306.5 the City Council directed the review of the Code; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on August 24, 2020, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Jackson as follows:

1. The City Council does hereby approve and adopt the amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk and available to the public for inspection and copying during regular business hours;

2. That the said amended Conflict of Interest Code shall become effective immediately upon adoption and approval.
PASSED, ADOPTED AND APPROVED by the City Council of the City of Jackson on this 24th day of August, 2020, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

CITY OF JACKSON  

_________________________________  
Robert Stimpson, Mayor  

ATTEST:  

_________________________________  
John Georgette, City Clerk
CONFLICT OF INTEREST CODE
OF THE
CITY OF JACKSON

(Amended August 24, 2020)

The Political Reform Act (Gov. Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulations and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of Jackson (the City).

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, shall electronically file their annual statements of economic interests directly with the Fair Political Practices Commission. All other officials and designated positions required to submit a statement of economic interests shall file their statements with the City Clerk as the City’s Filing Officer. The City Clerk shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

All officials and designated positions required to submit a statement of economic interests shall receive ethics training as required pursuant to Government Code section 53235 (AB 1234). The City’s Filing Officer shall annually provide all filers with information on training available to meet the requirements of Section 53235, and maintain required records indicating the dates that filers satisfied the training requirements and the entity that provided the training. These records shall be retained for five years after the date of training and are public records subject to disclosure under the California Public Records Act. (Gov. Code § 53235.2.)
APPENDIX

CONFLICT OF INTEREST CODE
OF THE
CITY OF JACKSON
(Amended August 24, 2020)

PART “A”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code Regs. §18700.3(b), are NOT subject to the City’s Code but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments¹. These positions are listed here for informational purposes only.

- Finance Manager
- Investment Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.
# DESIGNATED POSITIONS

**GOVERNED BY THE CONFLICT OF INTEREST CODE**

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<thead>
<tr>
<th>DESIGNATED POSITIONS</th>
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<td>Chief of Police</td>
<td>5</td>
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<tr>
<td>City Attorney (not filing under GC § 87200)</td>
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<tr>
<td>City Engineer (ALL)</td>
<td>2, 3, 5, 6</td>
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<td>City Planner</td>
<td>1, 2</td>
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<td>Fire Chief</td>
<td>5</td>
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<tr>
<td>Police Captain</td>
<td>5</td>
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<tr>
<td>Superintendent of Public Works</td>
<td>5</td>
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<tr>
<td>Water Superintendent</td>
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**MEMBERS OF BOARDS, COMMITTEES & COMMISSIONS**

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<th>MEMBERS OF BOARDS, COMMITTEES &amp; COMMISSIONS</th>
<th>DISCLOSURE CATEGORIES</th>
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</thead>
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<td>2, 3, 6</td>
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<tr>
<td>Design Review Committee</td>
<td>1, 2</td>
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<tr>
<td>Site Plan Review Committee</td>
<td>1, 2</td>
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</table>

Consultants and New Positions<sup>2</sup>

---

<sup>2</sup> Individuals serving as a consultant as defined in FPPC Reg. 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

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PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests the designated position must disclose for each disclosure category to which he or she is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

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³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)
City of Jackson
Council Meeting Memorandum

Monday August 24, 2020 Regular Meeting

To: Honorable Mayor and Members of the City Council

From: Dalacie Blankenship, Accounting Manager

Date: August 24, 2020

Agenda: Prepayment of the Unfunded Accrued Liability amount for FY 2019-20

RECOMMENDATION: That the City Council ratify prepayment for Fiscal Year 2019-20 Unfunded Accrued Liability for PERS in the amount of $505,861.

DISCUSSION:

The FY 20-21 PERS unfunded liability has become due. Making one annual payment saves the City $17,405. The total payment is $505,861. This payment has been made.

Attached spreadsheet indicates the monetary advantage to prepaying the City’s unfunded accrued liability amount for fiscal year 2020-21.

The prepayment amount of $505,861 is included in the proposed FY 20-21 budget.

Also attached is a future payment schedule. This schedule changes annually based on market performance and other factors like retirees. Early each fiscal year, our Cal-PERS actuary issues a report to advise of the following year’s payment and estimates for future years.

Attachments:
### FY 20-21 Unfunded Liability Payment Details

<table>
<thead>
<tr>
<th>Plan #</th>
<th>Plan Description</th>
<th>FY 2020-2021 Payment Amount</th>
<th>Prepayment Amount</th>
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<td>868</td>
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<td>9084</td>
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<td>9083</td>
<td>Classic Fire</td>
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<td>$6,792.00</td>
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<td>25830</td>
<td>PEPRA Fire</td>
<td>$1,124.00</td>
<td>$1,087.00</td>
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<td></td>
<td><strong>$523,266.00</strong></td>
<td><strong>$505,861.00</strong></td>
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**Future PERS UFL Payment schedule based on the July 2019 CalPERS Actuarial Report**

<table>
<thead>
<tr>
<th>Date</th>
<th>FY 19/20 calc Total Payment</th>
<th>FY 20/21 calc Total Payment</th>
<th>Misc Plan</th>
<th>PEPRA Misc</th>
<th>Safety Police Plan</th>
<th>PEPRA Safety Police Plan</th>
<th>Safety Fire Plan</th>
<th>PEPRA Safety Plan</th>
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<td>6/30/2020</td>
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<td>349,680</td>
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<td>7,026</td>
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<td>6/30/2023</td>
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<td>6/30/2025</td>
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<td>880</td>
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<tr>
<td>6/30/2029</td>
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<td>738,497</td>
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<td>11,147</td>
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<td>6/30/2030</td>
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<td>6/30/2031</td>
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<td>6/30/2038</td>
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</table>
City of Jackson
Council Meeting Memorandum

Monday, August 24, 2020 - 7:00 PM Regular Meeting

To: Honorable Mayor and Members of the City Council

From: Susan M. Peters, City Planner

Date: August 24, 2020

Agenda Item #6a: Annual Creek Cleaning Project Mitigated Negative Declaration

Recommendation:

That the City Council hold a public hearing and consider approving Resolution No. 2020-32 adopting a Mitigated Negative Declaration for the Annual Creek Cleaning Project.

Discussion:

For decades the City has hired the California Department of Corrections and Rehabilitation Juvenile Division inmates to annually clean excess vegetation and debris from Jackson Creek and some pertinent drainages and retention basins to maintain capacity in the creek and drainage channels. To continue this annual flood prevention, work the City is required to obtain a Routine Maintenance Agreement from the California Department of Fish and Wildlife, Lake and Streambed Alteration Agreement Program. This 12-year permit is considered a project under the California Environmental Quality Act (CEQA).

Due to the complexities related to biological resources associated with this project, staff contracted with Ascent Environmental, Inc. to prepare the Initial Study (IS) and Mitigated Negative Declaration (MND) in accordance with CEQA for the proposed Annual Creek Cleaning Project.

A project description was circulated to interested Native American Tribes in accordance with AB 52 (Tribal consultation for CEQA projects). Consultation was not requested by any of the interested Tribes. The IS/MND was also circulated (via the California State Clearinghouse) for 30 days to permitting/trustee agencies for comment. To date one comment letter has been received from Caltrans that addresses environmental review required should the City require an encroachment permit from Caltrans to complete the annual work (not anticipated). The letter is attached for Council consideration.

Once the Council approves Resolution No. 2020-32 staff will file the Mitigated Negative Declaration with the County Clerk and complete the permit approval process with the Department of Fish and Game.

Attachments:

Resolution No. 2020-32
Jackson Creek Cleaning IS/MND
CalTrans Comment Letter Dated August 18, 2020
Resolution No. 2020-32

A Resolution Approving the Annual Creek Cleaning Project
Mitigated Negative Declaration

WHEREAS, the City is proposing to continue to annually clean excess vegetation and debris from Jackson Creek and some pertinent drainages and retention basins to maintain capacity in the creek and drainage channels; and

WHEREAS, an Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study); and

WHEREAS, the on the basis of the evaluation in the Initial Study it has been determined that the proposed annual creek cleaning with mitigation will not have a significant effect on the environment and thus qualifies for a Mitigated Negative Declaration; and

WHEREAS, the City Council had held a duly noticed Public Hearing to solicit public comment on the proposed Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds that the proposed project is in compliance with the California Environmental Quality Act and hereby approves a Mitigated Negative Declaration for the Annual Creek Cleaning Project.

PASSED AND ADOPTED this 24th day of August, 2020 by the following vote:

   AYES:
   NOES:
   ABSENT:
   ABSTAIN:

CITY OF JACKSON

______________________________
Bob Stimpson, Mayor

ATTEST:

______________________________
John Georgette, City Clerk
Draft

Initial Study/Proposed Mitigated Negative Declaration

Jackson Annual Creek Cleaning Project

City of Jackson
33 Broadway
Jackson, CA 95642

July 2020
PROPOSED MITIGATED NEGATIVE DECLARATION

PROJECT: CITY OF JACKSON ANNUAL CREEK CLEANING PROJECT

LEAD AGENCY: CITY OF JACKSON

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the project. The City of Jackson is the CEQA lead agency because it is responsible for implementation and operation of the project.

PROJECT DESCRIPTION SUMMARY

The City would continue to conduct annual maintenance activities at the locations identified in Figure 2-2. All work is performed with hand tools and mechanical vegetation cutters and shredders. Debris and dead vegetation would be removed by hand. Vegetation removal is limited to ruderal grasses and trees and shrubs less than four (4) inches diameter at breast height (DBH). Trees greater than 4 inches DBH are retained but may be trimmed. Riparian vegetation that is not obstructing flow would be retained. Additionally, some silt, sand or sediment removal may be required in the immediate vicinity of any facilities or structures that substantially obstruct water flow, reduce channel capacity, accelerate erosion or damage concrete box culvers, metal culvers or bridge structures. Work would be limited to the driest time within the channel, typically during the fall months for no more than eight weeks.

FINDINGS

An Initial Study has been prepared to assess the project’s potential effects on the environment and the significance of those effects. Based on the Initial Study, it has been determined that the project would not have any significant effects on the environment once mitigation measures are implemented. The conclusion is supported by the following findings:

1. The project would have no impact related to agriculture and forestry resources, land use and planning, mineral resources, population and housing, public services, and recreation.

2. The project would have a less-than-significant impact on aesthetics, air quality, geology and soils, hydrology and water quality, and utilities and service systems.

3. Mitigation is required to reduce potentially significant impacts related to biological resources, cultural resources, hazards and hazardous materials, noise, transportation and traffic, and tribal cultural resources to less-than-significant levels.
Pursuant to Section 21082.1 of the California Environmental Quality Act, the City of Jackson has independently reviewed and analyzed the Initial Study and Mitigated Negative Declaration for the project and finds that the Initial Study and Mitigated Negative Declaration reflects the independent judgment of the City. The City further finds that the project mitigation measures shall be implemented as stated in the Mitigated Negative Declaration.

I hereby approve this project:

[Signature]

Susan Peters
City of Jackson
(to be signed upon approval of the project after the public review period is complete)
Draft
Initial Study/Proposed Mitigated Negative Declaration
for the

Annual Creek Cleaning Project

Prepared for:
City of Jackson
33 Broadway
Jackson, CA 95642
Phone: 209.223.1646
Contact: Susan Peters, City Planner

Prepared By:
Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, California 95814
916.444.7301
Contact: Patrick Angell

July 2020
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<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>ACES</td>
<td>Amador County Environmental Services</td>
</tr>
<tr>
<td>ARTS</td>
<td>Amador Regional Transit System</td>
</tr>
<tr>
<td>AWA</td>
<td>Amador Water Agency</td>
</tr>
<tr>
<td>BMP</td>
<td>best management practices</td>
</tr>
<tr>
<td>CARB</td>
<td>California Air Resources Board</td>
</tr>
<tr>
<td>CDFW</td>
<td>California Department of Fish and Wildlife</td>
</tr>
<tr>
<td>CDHS</td>
<td>California Department of Health Services</td>
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<tr>
<td>CEC</td>
<td>California Energy Commission</td>
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<tr>
<td>CEQA</td>
<td>California Environmental Quality Act</td>
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<tr>
<td>CESA</td>
<td>California Endangered Species Act</td>
</tr>
<tr>
<td>CH₄</td>
<td>Methane</td>
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<tr>
<td>City</td>
<td>City of Jackson</td>
</tr>
<tr>
<td>CO₂</td>
<td>Carbon Dioxide</td>
</tr>
<tr>
<td>CUPA</td>
<td>Certified Unified Program Agency</td>
</tr>
<tr>
<td>CVRWQCB</td>
<td>California Regional Water Quality Control Board’s Central Valley Region</td>
</tr>
<tr>
<td>dB</td>
<td>decibels</td>
</tr>
<tr>
<td>DBH</td>
<td>diameter at breast height</td>
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<tr>
<td>EIA</td>
<td>U.S. Energy Information Administration</td>
</tr>
<tr>
<td>EIR</td>
<td>Environmental Impact Report</td>
</tr>
<tr>
<td>EOP</td>
<td>Emergency Operations Plan</td>
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<tr>
<td>EPA</td>
<td>Environmental Protection Agency</td>
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<tr>
<td>EPA</td>
<td>U.S. Environmental Protection Agency</td>
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<td>ESA</td>
<td>Endangered Species Act</td>
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<td>FEMA</td>
<td>Federal Emergency Management Agency</td>
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<td>FMMP</td>
<td>Farmland Mapping and Monitoring Program</td>
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<tr>
<td>GHG</td>
<td>greenhouse gases</td>
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<tr>
<td>Acronym</td>
<td>Definition</td>
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<td>------------------------------------------------</td>
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<tr>
<td>IPCC</td>
<td>Intergovernmental Panel on Climate Change</td>
</tr>
<tr>
<td>IS/Proposed MND</td>
<td>Initial Study/Proposed Mitigated Negative Declaration</td>
</tr>
<tr>
<td>LUST</td>
<td>leaking underground storage tank</td>
</tr>
<tr>
<td>MCAB</td>
<td>Mountain Counties Air Basin</td>
</tr>
<tr>
<td>MLD</td>
<td>Most Likely Descendent</td>
</tr>
<tr>
<td>N\textsubscript{2}O</td>
<td>nitrous oxide</td>
</tr>
<tr>
<td>NWS</td>
<td>National Weather Service</td>
</tr>
<tr>
<td>PRC</td>
<td>Public Resources Code</td>
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<tr>
<td>RMA</td>
<td>Routine Maintenance Agreement</td>
</tr>
<tr>
<td>SMAQMD</td>
<td>Sacramento Air Quality Management District’s</td>
</tr>
<tr>
<td>SR</td>
<td>State Route</td>
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<tr>
<td>TCR</td>
<td>tribal cultural resources</td>
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<tr>
<td>UAIC</td>
<td>United Auburn Indian Community of the Auburn Rancheria</td>
</tr>
<tr>
<td>USGS</td>
<td>U.S. Geological Survey</td>
</tr>
<tr>
<td>WWTP</td>
<td>wastewater treatment plant</td>
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</table>
1 INTRODUCTION

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Proposed Mitigated Negative Declaration (IS/Proposed MND) has been prepared by the City of Jackson to evaluate potential environmental effects resulting from proposed Annual Creek Cleaning Project. Chapter 2, “Project Description,” presents the detailed project information.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). An initial study is prepared by a lead agency to determine if a project may have a significant effect on the environment (State CEQA Guidelines Section 15063[a]), and thus to determine the appropriate environmental document. In accordance with State CEQA Guidelines Section 15070, a “public agency shall prepare...a proposed negative declaration or mitigated negative declaration...when: (a) The Initial Study shows that there is no substantial evidence...that the project may have a significant impact on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal are agreed to by the applicant and such revisions would reduce potentially significant effects to a less-than-significant level.” In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the project would not have a significant effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). By contrast, an EIR is required when the project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation or by revisions in the project design.

1.2 WHY THIS DOCUMENT?

As described in the environmental checklist (Chapter 3), the project would not result in any significant environmental impacts that cannot be mitigated. Therefore, an IS/Proposed MND is the appropriate document for compliance with the requirements of CEQA. This IS/Proposed MND conforms to these requirements and to the content requirements of State CEQA Guidelines Section 15071.

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the project. City of Jackson is the CEQA lead agency because they are responsible for approving and implementing the project. The purpose of this document is to present to decision-makers and the public information about the environmental consequences of implementing the project. This disclosure document is being made available to the public for review and comment. This IS/Proposed MND will be available for a 30-day public review period.

Supporting documentation referenced in this document is available for review at:

City of Jackson
33 Broadway, Jackson, CA 95642

Comments should be addressed to:

Susan Peters, City Planner
City of Jackson
33 Broadway, Jackson, CA 95642

E-mail comments may be addressed to: speters@ci.jackson.ca.us

After comments are received from the public and reviewing agencies, the City may (1) adopt the MND and approve the project; (2) undertake additional environmental studies; or (3) abandon the project. If the project is approved and funded, the project proponent may proceed with the project.
1.3 SUMMARY OF FINDINGS

Chapter 3 of this document contains the analysis and discussion of potential environmental impacts of the project. Based on the issues evaluated in that chapter, it was determined that the project would have either no impact or a less-than-significant impact related to most of the issue areas identified in the Environmental Checklist, included as Appendix G of the State CEQA Guidelines.

Potentially significant impacts were identified for air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources; however, mitigation measures included in the IS/Proposed MND would reduce all impacts to a less-than-significant level.

1.4 DOCUMENT ORGANIZATION

This IS/Proposed MND is organized as follows:

Chapter 1: Introduction. This chapter provides an introduction to the environmental review process. It describes the purpose and organization of this document as well as presents a summary of findings.

Chapter 2: Project Description. This chapter describes the purpose of and need for the proposed project, identifies project objectives, and provides a detailed description of the project.

Chapter 3: Environmental Checklist. This chapter presents an analysis of a range of environmental issues identified in the CEQA Environmental Checklist and determines if project actions would result in no impact, a less-than-significant impact, a less-than-significant impact with mitigation incorporated, or a potentially significant impact. If any impacts were determined to be potentially significant, an EIR would be required. For this project, however, none of the impacts were determined to be significant after implementation of mitigation measures.

Chapter 4: References. This chapter lists the references used in preparation of this IS/Proposed MND.

Chapter 5: List of Preparers. This chapter identifies report preparers.
2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The City of Jackson (City) is preparing a Mitigated Negative Declaration for a new Routine Maintenance Agreement (RMA) with the California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Program to allow for the routine maintenance of creek and drainage channels to continue for 12 years known as the Annual Creek Cleaning Project.

For decades the City has hired the California Department of Corrections and Rehabilitation Juvenile Division inmates to annually clean excess vegetation and debris from Jackson Creek and some pertinent drainages and retention basins to maintain capacity in the creek and drainage channels.

2.2 PROJECT LOCATION

The City is in central Amador County, along the State Route (SR) 49 corridor in the Sierra Nevada foothills. Amador County is located in California’s Mother Lode, which includes the central and eastern portions of California and extends from the Central Valley/Sierra Nevada foothills east, almost to the state line (Figure 2-1). The land slopes upward to an elevation of 1,200 to 1,600 feet.

Annual routine maintenance activities would take place at these various locations within the City (Figure 2-2):

1. Sutter Street Drainage, Latitude 38° 21’ 9” N, Longitude 120° 46’ 52.7” W;
2. North Fork Jackson Creek, Latitude 38° 21’ 19.4” N, Longitude 120° 46’ 35” W;
3. Court Street Drainage, Latitude 38° 21’ 10” N, Longitude 120° 46’ 05.5” W;
4. Middle Fork Jackson Creek, Latitude 38° 21’ 05.4” N, Longitude 120° 46’ 00” W;
5. South Fork Jackson Creek, Latitude 38° 20’ 38.1” N, Longitude 120° 46’ 07” W;
6. Scottsville Retention Pond, Latitude 38° 20’ 27.7” N, Longitude 120° 45’ 19.7” W; and
7. Alpine Retention Pond, Latitude 38° 20’ 25.6” N, Longitude 120° 46’ 12.6” W.

2.3 EXISTING SETTING

A wide range of existing land uses characterizes the City. There are approximately 905 acres of residential development, 347 acres of commercial/retail/office, 13 acres of industrial, 59 acres of open space, 169 acres of public/institutional uses, 26 miles of streams, and approximately 1,050 acres of grazing land (City of Jackson 2007:p 4.9-1 and 4.9-2). Natural resources found in the City include annual grassland, non-native grassland, non-native shrub, mixed hardwood, gray pine, ponderosa pine, blue oak, valley oak, interior live oak, and waterways (City of Jackson 2007:p 4.4-1).
Figure 2-1  Regional Location

Source: adapted by Ascent Environmental in 2020
2.4 PROJECT OBJECTIVES

The objectives of the Annual Creek Cleaning Project are:

- Routine maintenance activities to facilitate water flow to avoid flooding, increase channel capacity, and decelerate erosion or damage to creek structures; and
- Conduct routine maintenance activities in a manner that protects natural habitat, species, and water quality.

2.5 PROPOSED MAINTENANCE ACTIVITIES

The City would continue to conduct annual maintenance activities at the locations identified in Figure 2-2. All work is performed with hand tools and mechanical vegetation cutters and shredders. Debris and dead vegetation would be removed by hand. Vegetation removal is limited to ruderal grasses and trees and shrubs less than four (4) inches diameter at breast height (DBH). Trees greater than 4 inches DBH are retained but may be trimmed. Riparian vegetation that is not obstructing flow would be retained. Additionally, some silt, sand or sediment removal may be required in the immediate vicinity of any facilities or structures that substantially obstruct water flow, reduce channel capacity, accelerate erosion or damage concrete box culvers, metal culvers or bridge structures. Work would be limited to the driest time within the channel, typically during the fall months for no more than eight weeks.

2.6 REQUIRED ACTIONS

California law requires the City to comply with Section 1602 of the Fish and Game Code by notifying the CDFW before any activity that would change, divert, obstruct, or deposit any debris into the waterways. Compliance requires the City of Jackson to obtain an RMA with CDFW’s Lake and Streambed Alteration Program to allow for the routine maintenance to continue for a period of 12 years. The current RMA expired on November 30, 2019.

The new RMA may include the following requirements that were included in the City’s 2019 RMA:

Administrative Measures

- Documentation at Project Site. Permittee shall make this Agreement, any extensions and amendments to this Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- Providing Agreement to Persons at Project Site. Permittee shall provide copies of this Agreement and any extensions and amendments to this Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in this Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall work with the Permittee to resolve any conflict.
- Project Site Entry. Permittee agrees that CDFW personnel may enter the project site at any time to verify compliance with this Agreement.
- No Trespass. To the extent that any provisions of this Agreement provide for activities that require the Permittee to traverse another owner’s property, such provisions are agreed to with the understanding that the Permittee possesses the legal right to so traverse. In the absence of such right, any such provision is void.
- Notification of Project Modification. The Permittee agrees to notify CDFW of any modifications made to the project plans submitted to CDFW.
Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken.

Does Not Authorize “Take.” This Agreement does not authorize “take” of any California Endangered Species Act (CESA) listed species. Take is defined in Fish and Game Code Section 86, as hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture, or kill. If there is potential for take of any listed species to occur, Permittee shall consult with CDFW and demonstrate compliance with CESA.

Avoidance and Minimization Measures

Work Period in Low Rainfall / Dry Weather Only. The work period within drainages shall be restricted to periods of low rainfall (less than 0.25-inch per 24-hour period) and periods of dry weather (with less than a 50 percent chance of rain). Permittee shall monitor the National Weather Service (NWS) 72-hour forecast for the project area. No work shall occur during a dry-out period of 24 hours after the above referenced wet weather. Weather forecasts shall be provided upon request by the CDFW. All erosion control measures shall be initiated before all storm events. Revegetation, restoration and erosion control work is not confined to this work period.

Vegetation Removal. Disturbance or removal of vegetation shall be kept to the minimum necessary to complete project related activities. No native trees with a trunk diameter at breast height (DBH) in excess of four (4) inches shall be removed or damaged without prior consultation and approval of a CDFW representative. Where native trees or woody riparian vegetation split into several trunks close to ground level, the DBH shall be measured for each trunk and calculated as one tree. Vegetation marked for protection may only be trimmed with hand tools to the extent necessary to gain access to the work sites.

Vegetation Removal Methods. Hand tools (e.g., trimmer, chain saw, etc.) shall be used to trim vegetation to the extent necessary to gain access to the work site(s); larger equipment shall not be used for vegetation removal unless already described in the project description.

Biological Resources

Leave Wildlife Unharmed. If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.

Special-Status Species encountered during work. If the Permittee encounters any special-status species during project activities, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with CDFW before re-initiating the activity. If during project activities, the Permittee encounters any species listed pursuant to the CESA, work shall be suspended, and CDFW notified. Work may not re-initiate until the Permittee has consulted with CDFW and can demonstrate compliance with CESA.

Nesting Bird Survey. If project-related activities are scheduled during the nesting season (typically February 1 to August 31), a focused survey for nests shall be conducted by a qualified biologist within three (3) days before the beginning of project-related activities. The qualified biologist shall survey the area within 500-foot radius around the project area. The results of the survey shall be made available upon request. If an active nest is found, the Permittee shall consult with CDFW regarding appropriate action to comply with the Fish and Game Code. If a lapse in project-related work of fifteen (15) days or longer occurs, another focused survey, and if nests are found, consultation with CDFW will be required before project work can be reinitiated. It is the Permittee’s responsibility to comply with Fish and Game Code Sections 3503, 3503.5, and 3513, regardless of the time of year. This Agreement does not authorize take of birds, their nests, or their eggs.

Invasive Species. Permittee shall conduct project activities in a manner that prevents the introduction, transfer, and spread of aquatic, riparian, and terrestrial invasive species from one work site and/or water body to another. Before entering the project area, Permittee shall inspect equipment for invasive species and, if any signs of invasive species are found, the equipment shall be cleaned to remove those species. All visible soil/mud, plant
materials, and animal remnants on equipment will be removed before entering and exiting the work site and/or between each use in different water bodies. Permittee shall notify CDFW immediately if an invasive species not previously known to occur within the work site is discovered during work activities by contacting CDFW Invasive Species Program by email at Invasives@wildlife.ca.gov.

- **Western Pond Turtle.** Within 24 hours before initiation of construction or project related disturbing activities, a qualified biologist shall survey the site for western pond turtles (*Actinemys marmorata*) and their nests. If western pond turtles are found in the work area, work shall not commence until the western pond turtles are no longer present. If a nest is found, Permittee shall contact CDFW to determine appropriate avoidance measures.

### Revegetation and Restoration

- **Seeding.** Permittee shall restore all exposed/disturbed areas and access points within the project area, by seeding with a locally native grass mix, unless otherwise agreed upon with CDFW. Revegetation shall be completed as soon as possible after construction activities.

- **Native Plant Materials.** Revegetation shall include only local plant materials native to the project area, unless otherwise approved by CDFW in writing.

- **Prohibited Plant Species.** Permittee shall not plant, seed or otherwise introduce invasive non-native plant species. Prohibited invasive non-native plant species include those identified in the California Exotic Pest Plant Council’s database, which is accessible at: http://www.cal-ipc.org.

### Erosion Control/Stabilization

- **Erosion Control.** Permittee shall actively implement best management practices (BMPs) to minimize turbidity and siltation and prevent erosion and the discharge of sediment where it may pass into waters of the state (Fish and Game Code Section 89.1), the stream bed, bank, or channel (including but not limited to dry, ponded, flowing, or wetland areas), drainages, lakes, other sensitive habitat during project activities. Precautions shall include, but are not limited to pre-construction planning to identify site specific turbidity and siltation minimization measures; best management erosion control practices during project activity; and settling, filtering, or otherwise treating silty and turbid water before discharge into a stream or storm drain. This may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches.

  - **Monitoring.** BMPs shall be monitored daily and repaired if necessary to ensure maximum erosion and sediment control.

  - **Materials.** All fiber rolls, straw wattles, and/or hay bales utilized within and adjacent to the project site shall be free of non-native plant materials. Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Products with plastic monofilament or cross joints in the netting that are bound/stitched (such as found in straw wattles/fiber rolls and some erosion control blankets), which may cause entrapment of wildlife, shall not be allowed.

  - **Implementation.** Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures shall be taken. The sediment barrier(s) shall be maintained in good operating condition throughout the construction period and the following rainy season. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw pale dikes. Upon the CDFW’s determination that turbidity/siltation levels resulting from project-related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation shall be halted until effective CDFW-approved control devices are installed or abatement procedures are initiated.
Prohibition Against Use of Plastic Netting in Erosion Control Measures. Permittee shall not use temporary or permanent erosion control devices containing plastic netting, including photo- or bio-degradable plastic netting. These items are commonly found in straw waddles (fiber rolls) and erosion control blankets.

Site Restoration. All areas and access points exposed or disturbed during project activities shall be restored using conditions as set forth in the Revegetation and Restoration section above. Seeded areas shall be covered with broadcast straw and/or seeded erosion control blankets.

Debris Materials and Waste

- Wash Water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter sensitive areas, or placed in locations where it may pass into waters of the state (Fish and Game Code Section 89.1), the stream bed, bank, or channel (including but not limited to dry, ponded, flowing, or wetland areas), drainages, lakes, other sensitive habitat.

- Isolate Wet Concrete from the Stream. The area to receive concrete shall be completely isolated to contain all and any wet cement, even if water is not present. The pH of hot concrete may be as high as 13 which is toxic to wildlife. The work area shall be isolated from the creek channel and protected with plastic sheeting and/or sandbags to prevent the material exposure to the creek. The Permittee shall maintain the isolation materials until the concrete is fully cured.

- No Pouring in Advance of Rain. No concrete or any cement product may be poured if measurable rain is forecasted within 10 days. If any concrete is poured after October 15, or if measurable rain may fall 11 to 15 days after pouring, a quick cure ingredient shall be added to the concrete mix to ensure a faster set or dying time.

- Hazardous Materials. Debris, soil, silt, sand, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other organic or earthen material from project activities shall not be stored where it may pass into waters of the state (Fish and Game Code Section 89.1), the stream bed, bank, or channel (including but not limited to dry, ponded, flowing, or wetland areas), drainages, lakes, other sensitive habitat. Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located more than one hundred (100) feet from the waters of the state, the stream bed, bank, or channel (including but not limited to dry, ponded, flowing, or wetland areas), drainages, lakes, other sensitive habitat, unless otherwise approved by CDFW in writing. Ensure that all construction areas have proper spill clean-up materials (absorbent pads, sealed containers, booms, etc.) to contain the movement of any spilled substances. All debris shall be disposed of properly. BMPs shall be employed to accomplish these requirements. CDFW shall be notified immediately by the Permittee of any spills and shall be consulted regarding clean-up procedures.

- Removal of Debris. Materials and Rubbish. Permittee shall remove all project generated debris, building materials and rubbish from the project area following completion of project activities.

Reporting Measures

- Notification of Project Initiation. The Permittee shall notify the CDFW two (2) working days before beginning work for each construction season. Notification shall be submitted as instructed in Contact Information section below. Email submittal is preferred.

- Notification of Project Completion. Upon completion of the project activities described in this Agreement, the project activities shall be digitally photographed. Photographs shall be submitted to CDFW within fifteen (15) days of project completion. Photographs and project completion notification shall be submitted.

- Notification to the California Natural Diversity Database. If any special-status species are observed during project implementation, the Permittee shall submit the California Natural Diversity Data Base (CNDDB) Online Field Survey Form electronically at https://www.wildlife.ca.gov/data/CNDB/submitting-data within five (5) working days of the sightings, and provide a copy of the form, survey map and/or report to the CDFWs Regional office.
### 3 ENVIRONMENTAL CHECKLIST

**PROJECT INFORMATION**

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<table>
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<tr>
<td>1. Project Title:</td>
<td>Annual Creek Cleaning Project</td>
</tr>
<tr>
<td>2. Lead Agency Name and Address:</td>
<td>City of Jackson, 33 Broadway, Jackson, CA 95642</td>
</tr>
<tr>
<td>3. Contact Person and Phone Number:</td>
<td>Susan Peters 209.223.1646</td>
</tr>
<tr>
<td>4. Project Location:</td>
<td>City of Jackson</td>
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<td>5. Project Sponsor’s Name and Address:</td>
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<td>6. General Plan Designation:</td>
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<td>7. Zoning:</td>
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<tr>
<td>8. Description of Project:</td>
<td>Approval of a new Routine Maintenance Agreement (RMA) with the California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Program to allow for the routine maintenance of creek and drainage channels to continue for 12 years known as the Annual Creek Cleaning Project. See Chapter 2, “Project Description,” for further details.</td>
</tr>
<tr>
<td>9. Surrounding Land Uses and Setting:</td>
<td>There are approximately 905 acres of residential development, 347 acres of commercial/retail/office, 13 acres of industrial, 59 acres of open space, 169 acres of public/institutional uses, 26 miles of streams, and approximately 1,050 acres of grazing land in the City. Natural resources found in the City include annual grassland, non-native grassland, non-native shrub, mixed hardwood, gray pine, ponderosa pine, blue oak, valley oak, interior live oak, and waterways.</td>
</tr>
<tr>
<td>10. Other public agencies whose approval is required:</td>
<td>California Department of Fish and Wildlife</td>
</tr>
<tr>
<td>11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?</td>
<td>The City of Jackson has completed tribal consultation consistent with Public Resources Code Section 21080.3.</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. Where checked below, the topic with a potentially significant impact will be addressed in an environmental impact report.

☐ Aesthetics ☐ Agriculture and Forest Resources ☐ Air Quality
☐ Biological Resources ☐ Cultural Resources ☐ Energy
☐ Geology / Soils ☐ Greenhouse Gas Emissions ☐ Hazards / Hazardous Materials
☐ Hydrology / Water Quality ☐ Land Use / Planning ☐ Mineral Resources
☐ Noise ☐ Population / Housing ☐ Public Services
☐ Recreation ☐ Transportation ☐ Tribal Cultural Resources
☐ Utilities / Service Systems ☐ Wildfire ☐ Mandatory Findings of Significance

☐ None ☐ None with Mitigation Incorporated
DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project COULD have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

__________________________
Signature

07.16.2020
Date

Susan Peters
Printed Name

City Planner
Title

City of Jackson
Agency
EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. State CEQA Guidelines Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.
3.1 AESTHETICS

<table>
<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

### I. Aesthetics.

Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:

a) Have a substantial adverse effect on a scenic vista? □ □ □ ☒

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? □ □ □ ☒

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? □ □ ☒ □

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? □ □ □ ☒

#### 3.1.1 Environmental Setting

The City is located in the Sierra Nevada foothills at an elevation between 1,200 to 1,600 feet. The primary land uses in the City are commercial, residential, and open space. The views in this region are of vast open spaces and hillsides, vegetative cover and thin ribbons of riparian woodlands along the major streams. Jackson Creek traverses the City.

The view of the historic Kennedy Mine area and open space to the south of that area with the backdrop of Butte Mountain is a designated scenic vista point on SR 49 north of the entrance to the City.

#### 3.1.2 Discussion

a) Have a substantial adverse effect on a scenic vista?

No impact. Routine maintenance activities involve minor vegetation removal and occur in areas that have been previously maintained. Maintenance activities would be nearly indistinguishable from existing conditions since activity would occur within the creek channel and other water features, and alignment of the creek and the overall vegetation conditions would not be altered. The proposed activities would be topographically hidden or shielded by trees and vegetation and are not within public viewsheds. The proposed routine activities would not impact the designated scenic vistas on SR 49 north of the entrance to the City, because the extent of vegetation modification would be minor and the maintenance sites are over 0.80 miles from the vista and obscured from public view by vegetation, buildings and topography.
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  

**No impact.** The primary transportation corridors in the project are SR 49, SR 88, and other local road networks in Amador County. Based on Review of Caltrans scenic highway database information, there are no designated state scenic highways in the City. The proposed maintenance activities would occur within the creek and in immediate vicinity of the creek. Neither the alignment of the creek nor the roadway crossings would be altered. For these reasons, no aesthetic impacts to scenic highways are anticipated with the project.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?  

**Less than significant impact.** Maintenance activities would be nearly indistinguishable from existing conditions since activity would occur within the creek channel and other water features, and alignment of the creek and the overall vegetation conditions would not be altered. Routine maintenance activities would not degrade or alter this visual transition; however, some vegetation removal may be necessary along some of these natural corridors. Vegetation removal would be limited to only what is necessary to perform routine maintenance activities and would only occur within the creek and immediate vicinity of the creek. Vegetation removal is limited to ruderal grasses and trees and shrubs less than four inches diameter at DBH. Trees greater than 4 inches DBH will be retained but may be trimmed. Therefore, overall, the open and natural resource conditions of the creek and drainage areas are expected to remain intact and not substantially degrade the visual character.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  

**No impact.** Routine maintenance activities would not create a new source of substantial light or glare which would adversely affect day or nighttime views as these activities are conducted during daylight hours and would not install new permanent sources of light.
II. Agriculture and Forest Resources.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒

b) Conflict with existing zoning for agricultural use or a Williamson Act contract? ☐ ☐ ☐ ☒

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? ☐ ☐ ☐ ☒

d) Result in the loss of forest land or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

3.2.1 Environmental Setting

The Important Farmland Inventory System, initiated in 1975 by the U.S. Department of Agriculture Soil Conservation Service (now known as the Natural Resources Conservation Service [NRCS]), classifies land according to soil and climatic characteristics. To be shown on the Farmland Mapping and Monitoring Program’s (FMMP) Important Farmland Maps as Prime Farmland and Prime Farmland of Statewide Importance, the land must have been used for irrigated agricultural production at some time during the four years prior to the Important Farmland Map date. The California Land Conservation Act of 1965 (commonly known as the Williamson Act) established a voluntary tax incentive program for preserving agricultural and open space lands. A property owner enters into a 10-year contract with the County, which places restrictions on the land in exchange for tax savings.
There are approximately 1,050 acres designated as grazing land within the City; no lands are designated as any type of farmland. The qualities of the soils are characterized as “poorly suited” to “not suited” for agricultural uses based on the Storie Index. The agricultural land within the city limits is used primarily for cattle grazing and wildlife habitat. There are approximately 8.3 acres within the City that are categorized with a soil type considered under the Farmland Classification as Farmland of Statewide Importance; however, the acreage is within an urban setting, partially developed, and is not identified on the Important Farmlands Map. (City of Jackson 2007: 4.2-9)

The City of Jackson consists of urban and rural land uses and does not contain designated forest land or timberland.

3.2.2 Discussion

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact. There are no designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City. Routine maintenance activities are situated primarily within creek and other water features and would not permanently convert any farmlands to non-agricultural use.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No impact. Routine maintenance activities would not conflict with existing zoning for agricultural use or a Williamson Act contract because it would not alter or permanently convert land use conditions.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?  

No impact. The City does not have any designated forestland or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No impact. Commercial or publicly-owned forests are not located in the City. Routine maintenance activities would not result in the loss of forest land or conversion of forest land to non-forest use.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No impact. Routine maintenance activities would not involve other changes in the existing environment or land use conditions that could result in the permanent conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.
### 3.3 AIR QUALITY

<table>
<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

#### III. Air Quality.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.

Are significance criteria established by the applicable air district available to rely on for significance determinations?  
☐ Yes  ☒ No

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?  
☐ ☒ ☐ ☐

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?  
☐ ☐ ☒ ☐

c) Expose sensitive receptors to substantial pollutant concentrations?  
☐ ☐ ☒ ☐

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?  
☐ ☐ ☐ ☒

#### 3.3.1 Environmental Setting

The City of Jackson is located in the Mountain Counties Air Basin (MCAB). Air quality in the MCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (CARB), and the Amador Air District. Air quality conditions in the area are determined by natural factors such as topography, meteorology, and climate, coupled with atmospheric stability conditions and the presence of inversions. Air quality issues within the Basin are primarily due to migration of pollutants from the Bay Area and Central Valley.

Both the Federal and State clean air laws require the identification and designation of areas that either do or do not meet ambient air quality standards. An attainment designation for an area signifies that pollutant concentrations did not violate the standard for that pollutant in that area. A non-attainment designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation(s) was caused by an exceptional event, as defined in the criteria. Areas for which there is insufficient data available are designated unclassified.

Under the Federal Clean Air Act, Amador County has been designated attainment or unclassified for all national ambient air quality standards, with the exception of the 8-hour standard for ozone, for which the County is designated non-attainment. Under the California Clean Air Act, Amador County is designated non-attainment for the California 1-hour ambient air quality standard for ozone and attainment or unclassified for the remaining pollutants.

Amador Air District regulates stationary emission sources through its Rules and Regulations. The District has not established any CEQA thresholds of significance for projects.
3.3.2 Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than significant with mitigation proposed. The project would generate short-term emissions as the routine maintenance would for no more than eight weeks at seven different locations. Since Amador Air District does not have CEQA thresholds or guidelines for air quality analysis to determine consistency with attainment plans and efforts, the Sacramento Air Quality Management District’s (SMAQMD) Guide to Air Quality Assessment in Sacramento County (Guide) were used in evaluating this project given the City’s proximity to Sacramento County and similar attainment issues associated with ozone and particulate emissions (SMAQMD 2019). The seven maintenance sites are anticipated to consist of no more than one acre of activity that would be below the 35-acre screening level of SMAQMD Guide. Construction of a project that does not exceed this screening level, meets all the screening parameters, and implements the District’s Basic Construction Emission Control Practices (also known as Best Management Practices (BMPs)) is considered by SMAQMD to have a less-than-significant impact on air quality. These BMPs include dust control measures, minimizing idle times for construction equipment, and compliance with the CARB construction equipment standards. The project does not specifically propose any BMPs to control temporary air emissions for maintenance activities so the following mitigation measure is proposed. City Development Code Section 17.30.030 (Air Emissions) includes air quality BMP measures similar to SMAQMD BMPs in its Guide that are designed to minimize temporary air pollutant emissions and avoid conflicts with attainment efforts.

Mitigation Measure 3.3-1: Air Emission Controls Consistent with City Development Code Section 17.30.030

Creek maintenance activities shall comply with the applicable provisions of City Development Code Section 17.30.030 that include:

- Fugitive dust control measures that consist of water to prevent visible dust emissions or other dust-preventive measures.
- Clearing, earth-moving, excavation operations shall cease when the sustained winds are above 15 miles per hour.
- Maintain equipment engines in good condition and in proper tune in compliance with manufacturer’s specifications and by not allowing equipment to be left idling for long periods of time.
- Open burning of vegetation from site clearing shall be prohibited.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than significant impact. Emissions derived from routine maintenance activities already occur annually, would be minor, and are not expected to exceed Amador Air District standards set forth in its Rules and Regulations or result in significant emissions based on the SMAQMD Guide described in Item (a) above. Further, maintenance activities would be conducted over a 12-year period at various creeks and drainages within the City and are therefore not anticipated to be concentrated at a particular location or point in time. Considering all maintenance activities are temporary, are anticipated to be short in duration, and the implementation of the proposed air quality BMPs, maintenance activities would not have a cumulatively significant net increase in criteria pollutants.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact. Air pollutant emissions associated with the proposed project would occur over the short term at seven different sites in the City. Most of the maintenance sites are within the vicinity of residential areas, Sutter Street drainage is near Jackson Junior High, and none are near hospitals. In context of the existing practices, the minor disturbance areas, moist soils, and brief nature of the work, the emissions from the maintenance activities would not exceed Amador Air District standards set forth in its Rules and Regulations or result in significant emissions based on the SMAQMD Guide. Because of its short duration, health risks from potential construction emissions of
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No impact. The routine maintenance activities include vegetation and some sand and silt removal. These activities do not create other emissions, such as objectionable odors, that would impact a substantial number of people or subject people to objectionable odors.
### 3.4 BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

### IV. Biological Resources.

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

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### 3.4.1 Environmental Setting

Habitats and vegetation types in the City of Jackson include annual grassland, nonnative grassland, nonnative shrub, mixed hardwood, gray pine (*Pinus sabiniana*), ponderosa pine (*Pinus ponderosa*), blue oak (*Quercus douglasii*), valley oak (*Quercus lobata*), interior live oak (*Quercus w提醒zeni*), aquatic habitat, and urban or otherwise developed lands (City of Jackson 2007). Habitats in the vicinity of routine maintenance activity locations are characterized generally by urban, residential, commercial, and industrial development (e.g., buildings, paved roads, sidewalks, parking lots). However, some of these locations contain or are adjacent to natural habitats, including oak savanna, oak woodland, riparian woodland, and grassland; and all of these locations contain aquatic habitat features (e.g., streams, ponds).
SPECIAL-STATUS SPECIES

Tables 3.4-1 and 3.4-2 provide lists of the special-status plant and wildlife species, respectively, that have been documented in the project site or within the nine U.S. Geological Survey (USGS) 7.5-minute quadrangles surrounding the project site (Irish Hill, Amador City, Ione, Jackson, Mokelumne Hill, Wallace, Valley Springs, and San Andreas). The tables describe the species’ regulatory status, habitat, and potential for occurrence on the site. Of the 17 special-status plant species that could occur within the nine USGS quadrangles surrounding the project site, six species may occur (CNDDB 2020, CNPS 2020, Table 3.4-1). Of the 14 special-status wildlife species that could occur within the nine USGS quadrangles surrounding the project site, eight may occur (CNDDB 2020, Table 3.4-2).

Table 3.4-1 Special-Status Plant Species Known to Occur in the Project Vicinity and Their Potential for Occurrence in the Project Site

<table>
<thead>
<tr>
<th>Species</th>
<th>Listing Status</th>
<th>Habitat</th>
<th>Potential for Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henderson’s bent grass</td>
<td></td>
<td>Moist places in grassland or vernal pool habitat. 213–3,379 ft in elevation. Blooms April–June.</td>
<td>Not expected to occur. The project site does not contain vernal pool habitat.</td>
</tr>
<tr>
<td><em>Agrostis hendersonii</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ione manzanita</td>
<td>FT</td>
<td>On Ione clay with chaparral associates. Often comprises 50–80 percent cover. 295–1,837 ft in elevation. Blooms November–March.</td>
<td>Not expected to occur. The project site does not contain Ione clay soils.</td>
</tr>
<tr>
<td><em>Arctostaphylos myrtifolia</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Big-scale balsamroot</td>
<td></td>
<td>Chaparral, valley and foothill grassland, cismontane woodland. Sometimes on serpentine. 115–4,806 ft in elevation. Blooms March–June.</td>
<td>May occur. The Sutter Street drainage site contains potentially suitable grassland and woodland habitat for this species.</td>
</tr>
<tr>
<td><em>Balsamorhiza macrolepis</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoover’s calycadenia</td>
<td></td>
<td>On exposed, rocky, barren soil. 230–853 ft in elevation. Blooms July–September.</td>
<td>Not expected to occur. The project site is outside of the elevation range of this species.</td>
</tr>
<tr>
<td><em>Calycadenia hooveri</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red Hills soaproot</td>
<td></td>
<td>Chaparral, cismontane woodland. Occurs frequently on serpentine or gabbro, but also on non-ultramafic substrates; often on &quot;historically disturbed&quot; sites. 804–4,068 ft in elevation. Blooms May–June.</td>
<td>May occur. The Sutter Street drainage contains potentially suitable oak woodland habitat for this species.</td>
</tr>
<tr>
<td><em>Chlorogalum grandiflorum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bisbee Peak rush-rose</td>
<td></td>
<td>Often on serpentine, gabbroic, or Ione formation soils; in openings in chaparral. 148–2,756 ft in elevation. Blooms April–August.</td>
<td>Not expected to occur. The project site does not contain serpentine, gabbroic, or Ione formation soils, and does not contain chaparral habitat.</td>
</tr>
<tr>
<td><em>Crocanthemum suffrutescens</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ione buckwheat</td>
<td>FE SE</td>
<td>In gravelly openings on Ione formation soil. 279–492 ft in elevation. Blooms July–October.</td>
<td>Not expected to occur. The project site does not contain Ione formation soil.</td>
</tr>
<tr>
<td><em>Eriogonum apricum var. apricum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irish Hill buckwheat</td>
<td>FE SE</td>
<td>Gravelly openings on Ione formation soils. 295–328 ft in elevation. Blooms June–July.</td>
<td>Not expected to occur. The project site does not contain Ione formation soil.</td>
</tr>
<tr>
<td><em>Eriogonum apricum var. prostratum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jepson’s coyote-thistle</td>
<td></td>
<td>Vernal pools, valley and foothill grassland. Clay. 10–984 ft in elevation. Blooms April–August.</td>
<td>Not expected to occur. The project site does not contain vernal pool habitat and is outside of the elevation range of this species.</td>
</tr>
<tr>
<td><em>Eryngium jepsonii</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuolumne button-celery</td>
<td></td>
<td>Volcanic soils; vernal pools and mesic sites within other natural communities. 230–3,002 ft in elevation. Blooms May–August.</td>
<td>Not expected to occur. The project site does not contain vernal pool habitat.</td>
</tr>
<tr>
<td><em>Eryngium pinnatisectum</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stanislaus monkeyflower</td>
<td></td>
<td>Cismontane woodland, lower montane coniferous forest. 328–2,953 ft in elevation. Blooms March–May.</td>
<td>Not expected to occur. This species is thought to be extirpated in California (CNPS 2020).</td>
</tr>
<tr>
<td><em>Erythranthe marmorata</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Species</td>
<td>Listing Status(^1)</td>
<td>Habitat</td>
<td>Potential for Occurrence(^2)</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------</td>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Federal</td>
<td>State</td>
<td>CRPR</td>
</tr>
<tr>
<td>Parry’s horkelia</td>
<td>–</td>
<td>–</td>
<td>1B.2</td>
</tr>
<tr>
<td><em>Horkelia parryi</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hair-leaved rush</td>
<td>–</td>
<td>–</td>
<td>2B.2</td>
</tr>
<tr>
<td><em>Juncus supiniformis</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legenere</td>
<td>–</td>
<td>–</td>
<td>1B.1</td>
</tr>
<tr>
<td><em>Legenere limosa</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pincushion navarretia</td>
<td>–</td>
<td>–</td>
<td>1B.1</td>
</tr>
<tr>
<td><em>Navarretia myersii ss. myersii</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patterson’s navarretia</td>
<td>–</td>
<td>–</td>
<td>1B.3</td>
</tr>
<tr>
<td><em>Navarretia paradoxiclara</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prairie wedge grass</td>
<td>–</td>
<td>–</td>
<td>2B.2</td>
</tr>
<tr>
<td><em>Sphenopholis obtusata</em></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: CRPR = California Rare Plant Rank

\(^1\) Legal Status Definitions

Federal:

FE Federally Listed as Endangered (legally protected by ESA)
FT Federally Listed as Threatened (legally protected by ESA)

State:

SE State Listed as Endangered (legally protected by CESA)

California Rare Plant Ranks:

1B Plant species considered rare or endangered in California and elsewhere (protected under CEQA, but not legally protected under ESA or CESA)
2B Plant species considered rare or endangered in California but more common elsewhere (protected under CEQA, but not legally protected under ESA or CESA)
3 Plant species that cannot be assigned to other ranks or rejected due to a lack of necessary information.

Threat Ranks:

0.1 Seriously threatened in California (over 80% of occurrences threatened; high degree and immediacy of threat)
0.2 Moderately threatened in California (20-80% occurrences threatened; moderate degree and immediacy of threat)
0.3 Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

\(^2\) Potential for Occurrence Definitions

Not expected to occur: Species is unlikely to be present because of poor habitat quality, lack of suitable habitat features, or restricted current distribution of the species.

Could occur: Suitable habitat is available; however, there are little to no other indicators that the species might be present.

Likely to occur: Suitable habitat is available and there have been nearby recorded occurrences of the species.

Sources: CNDDB 2020; CNPS 2020
### Table 3.4-2  Special-Status Wildlife Species Known to Occur in the Project Vicinity and Their Potential for Occurrence in the Project Site

<table>
<thead>
<tr>
<th>Species</th>
<th>Listing Status</th>
<th>Habitat</th>
<th>Potential for Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amphibians and Reptiles</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California red-legged frog <em>Rana draytonii</em></td>
<td>FT, SSC</td>
<td>Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.</td>
<td>May occur. The nearest known occurrence of this species is approximately 8.5 miles southwest of the project site within Youngs Creek (CNDDB 2020). Potentially suitable breeding habitat for California red-legged frog is present within the Alpine Retention Pond. Jackson Creek does not contain suitable habitat for this species because the creek contains and is regularly stocked with fish, which prey on frogs. The Scottsville Retention Pond does not appear to retain water for a sufficient period or contain suitable emergent vegetation for this species.</td>
</tr>
<tr>
<td>California tiger salamander <em>Ambystoma californiense</em></td>
<td>FT, ST</td>
<td>Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.</td>
<td>Not expected to occur. The project site does not contain suitable vernal pool habitat for this species.</td>
</tr>
<tr>
<td>Foothill yellow-legged frog <em>Rana boylii</em></td>
<td>–, ST</td>
<td>Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. Need at least some cobble-sized substrate for egg-laying. Need at least 15 weeks to attain metamorphosis.</td>
<td>Not expected to occur. There are several historic occurrences of foothill yellow-legged frog within the vicinity of the City of Jackson; however, the species is presumed to be extirpated from this area (CNDDB 2020). The stream habitat within the project site does not provide suitable habitat for this species.</td>
</tr>
<tr>
<td>Western pond turtle <em>Actinemys marmorata</em></td>
<td>–, SSC</td>
<td>An aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6,000 feet elevation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.3 mile from water for egg-laying.</td>
<td>May occur. The project site contains potentially suitable stream habitat for this species, and there are several known occurrences within Jackson Creek and within ponds in the City of Jackson (CNDDB 2020).</td>
</tr>
<tr>
<td>Western spadefoot <em>Spea hammondii</em></td>
<td>–, SSC</td>
<td>Occurs primarily in grassland habitats but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.</td>
<td>Not expected to occur. The project site does not contain suitable vernal pool habitat and is outside of the known range of this species.</td>
</tr>
<tr>
<td><strong>Birds</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bald eagle <em>Haliaeetus leucocephalus</em></td>
<td>FD, SE, FP</td>
<td>Most nests within 1 mile of water. Nests in large, old-growth, or dominant live tree with open branches, especially ponderosa pine. Roosts communally in winter.</td>
<td>Not expected to occur. The project site does not contain suitable nesting habitat for this species, and the nearest large water bodies (e.g., Pardee Reservoir, Camanche Reservoir, Lake Amador) are 5 to 10 miles west of the project site.</td>
</tr>
<tr>
<td>Northern harrier <em>Circus hudsonius</em></td>
<td>–, SSC</td>
<td>Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.</td>
<td>May occur. The project site contains potentially suitable grassland nesting habitat for this species.</td>
</tr>
<tr>
<td>Tricolored blackbird <em>Agelaius tricolor</em></td>
<td>–, ST, SSC</td>
<td>Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected</td>
<td>May occur. The project site contains potentially suitable riparian nesting habitat for this species.</td>
</tr>
<tr>
<td>Species</td>
<td>Listing Status¹</td>
<td>Habitat</td>
<td>Potential for Occurrence²</td>
</tr>
<tr>
<td>---------</td>
<td>----------------</td>
<td>---------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>White-tailed kite <em>Elanus leucurus</em></td>
<td>- FP</td>
<td>Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.</td>
<td>May occur. The project site contains potentially suitable riparian woodland and oak woodland nesting habitat for this species.</td>
</tr>
</tbody>
</table>

**Fish**

<table>
<thead>
<tr>
<th>Species</th>
<th>Listing Status¹</th>
<th>Habitat</th>
<th>Potential for Occurrence²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steelhead – Central Valley DPS <em>Oncorhynchus mykiss irideus</em> pop. 11</td>
<td>FT –</td>
<td>Populations in the Sacramento and San Joaquin rivers and their tributaries.</td>
<td>Not expected to occur. The project site is outside of the known range of this species.</td>
</tr>
</tbody>
</table>

**Invertebrates**

<table>
<thead>
<tr>
<th>Species</th>
<th>Listing Status¹</th>
<th>Habitat</th>
<th>Potential for Occurrence²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valley elderberry longhorn beetle <em>Desmocerus californicus dimorphus</em></td>
<td>FT –</td>
<td>Occurs only in the Central Valley of California, in association with blue elderberry (<em>Sambucus nigra ssp. Caerulea</em>). Prefers to lay eggs in elderberries 2-8 inches in diameter; some preference shown for “stressed” elderberries.</td>
<td>May occur. There is a recent (2014) known occurrence of valley elderberry longhorn beetle approximately 0.4 mile west of the Alpine Retention Pond routine maintenance activity location (CNDDB 2020). Mature elderberry shrubs were observed within the Sutter Street drainage during a reconnaissance-level survey on June 30, 2020. Habitat potentially suitable for elderberry shrubs is also present within the North, Middle, and South Fork of Jackson Creek.</td>
</tr>
<tr>
<td>Vernal pool fairy shrimp <em>Branchinecta lynchii</em></td>
<td>FT –</td>
<td>Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.</td>
<td>Not expected to occur. The project site does not contain suitable vernal pool habitat for this species.</td>
</tr>
</tbody>
</table>

**Mammals**

<table>
<thead>
<tr>
<th>Species</th>
<th>Listing Status¹</th>
<th>Habitat</th>
<th>Potential for Occurrence²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pallid bat <em>Antrozous pallidus</em></td>
<td>- SSC</td>
<td>Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.</td>
<td>May occur. The project site contains potentially suitable tree roosting habitat for this species.</td>
</tr>
<tr>
<td>Townsend’s big-eared bat <em>Corynorhinus townsendii</em></td>
<td>- SSC</td>
<td>Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.</td>
<td>May occur. The project site contains potentially suitable roosting habitat on human-made structures, such as bridges.</td>
</tr>
</tbody>
</table>

Notes: CNDDB = California Natural Diversity Database; DPS = distinct population segment.

¹ Legal Status Definitions

Federal:

- FT Federally Listed as Threatened (legally protected)
- FC Federal Candidate Species

State:

- FP Fully protected (legally protected)
- SSC Species of special concern (no formal protection other than CEQA consideration)
- SE State Listed as Endangered (legally protected)
- ST State Listed as Threatened (legally protected)
- SC State Candidate for listing (legally protected)
Potential for Occurrence Definitions

Not expected to occur: Species is unlikely to be present because of poor habitat quality, lack of suitable habitat features, or restricted current distribution of the species.

May occur: Suitable habitat is available; however, there are little to no other indicators that the species might be present.

Likely to occur: Suitable habitat is available and there have been nearby recorded occurrences of the species.

Sources: CNDDB 2020

SENSITIVE NATURAL COMMUNITIES

Sensitive natural communities are those native plant communities defined by California Department of Fish and Wildlife (CDFW) as having limited distribution statewide or within a county or region and that are often vulnerable to environmental effects of projects (CDFW 2018). These communities may or may not contain special-status plants or their habitat (CDFW 2018). CDFW designates sensitive natural communities based on their state rarity and threat ranking using NatureServe’s Heritage Methodology. Natural communities with rarity ranks of S1 to S3, where S1 is critically imperiled, S2 is imperiled, and S3 is vulnerable, are considered sensitive natural communities to be addressed in the environmental review processes of CEQA and its equivalents (CDFW 2018). Riparian habitat and certain oak woodland habitats (e.g., valley oak woodland) within the project site would be considered sensitive natural communities.

STATE OR FEDERALLY PROTECTED WETLANDS

The project site contains stream habitat in portions of Jackson Creek (i.e., North Fork, Middle Fork, South Fork) and other drainages, as well as pond habitat within retention ponds. Most of these features would likely qualify as waters of the State or waters of the United States.

3.4.2 Discussion

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Less than significant with mitigation incorporated. The following analysis addresses potential impacts to special-status species by the project.

Special-status Plants

A total of four special-status plant species have potential to occur within the maintenance sites: big-scale balsamroot (Balsamorhiza macrolepis), Red Hills soaproot (Chlorogalum grandiflorum), Parry’s horkelia (Horkelia parryi), and prairie wedge grass (Sphenopholis obtusata; Table 3.5-1). Big-scale balsamroot, Red Hills soaproot, and Parry’s horkelia only have potential to occur within the Sutter Street drainage, due to the relatively intact nature of the habitat within the maintenance site. Prairie wedge grass has potential to occur within Sutter Street drainage, Court Street drainage, and the North, South, and Middle Forks of Jackson Creek. These species typically occur within grassland, woodland, and streamside habitats (Table 3.5-1). Proposed annual maintenance activities include removal of vegetation with hand tools and mechanical vegetation cutters and shredders. While vegetation removal would be limited to ruderal grasses and trees and shrubs less than 4 inches diameter at breast height (DBH), special-status plant species, if present, could be inadvertently removed during vegetation removal activities, or inadvertently crushed, trampled, or otherwise disturbed by personnel, equipment, or vehicles. Implementation of the following mitigation measure would reduce impacts to special-status plants to less than significant by avoiding project activities within potential habitat for these species.
**Mitigation Measure 3.4-1: Avoid Special-Status Plant Habitat**

The following avoidance measures shall be implemented during project activities:

- All vehicle, equipment, and personnel staging shall be limited to unvegetated areas, including impervious surfaces (e.g., asphalt, cement), or areas with bare earth.
- Vegetation removal shall be completely limited to the main stream channel, and will not occur on the banks of the stream channel or upland areas surrounding the stream.

**Special-status Wildlife**

A total of eight special-status wildlife species have potential to occur within the maintenance sites: California red-legged frog (*Rana draytonii*), western pond turtle (*Actinemys marmorata*), northern harrier (*Circus hudsonius*), tricolored blackbird (*Agelaius tricolor*), white-tailed kite (*Elanus leucurus*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), pallid bat (*Antrozous pallidus*), and Townsend’s big-eared bat (*Corynorhinus townsendii*; Table 3.4-2). Additionally, common native nesting birds that are protected under Sections 3503 and 3503.4 of California Fish and Game Code and the federal Migratory Bird Treaty Act could nest in trees and shrubs within or adjacent to the project site.

Proposed annual maintenance activities include removal of vegetation (e.g., trees, shrubs, grasses) with hand tools and mechanical vegetation cutters and shredders. Additionally, silt, sand, or sediment removal may be conducted at some routine maintenance activity locations. Activities within or adjacent to stream or pond habitat could result in inadvertent disturbance, injury, or mortality to California red-legged frog (within the Alpine Retention Pond only) or western pond turtle, if present. Vegetation removal could result in inadvertent removal of elderberry (*Sambucus nigra caerulea*) shrubs, which could result in direct loss of valley elderberry longhorn beetle, if present. Additionally, removal of shrubs or trees could result in direct loss of special-status or other bird nests, and activity within close proximity of nests could result in disturbance to the nests potentially resulting in abandonment and loss of eggs or chicks. Proposed annual maintenance activities could also result in adverse effects to special-status bats if active roosts are disturbed by the presence of personnel or vehicles.

As described in Section 2.5, “Proposed Maintenance Activities” project activities would be limited to the driest time within the channel, typically during the fall months. Conducting project activities during the dry period of the year would minimize most of the potential impacts on California red-legged frogs and western pond turtle, if present, as these species would likely not be present within the dry streams, drainages, and ponds. Additionally, the seasonal timing of project activities would avoid the sensitive period of life history of the species with potential to occur, including nesting birds (nesting season; February 1 to August 31), California red-legged frogs (the period during which egg masses and tadpoles would be present; late winter to early spring), and special-status bats (maternity season; April 1 to August 31), which would further minimize potential impacts on these species.

Implementation of the following mitigation measures would reduce residual impacts on California red-legged frog, western pond turtle, special-status and other birds, valley elderberry longhorn beetle, and special-status bats to less than significant by avoiding activities that could result in inadvertent impacts on special-status wildlife or conducting pre-activity surveys if these activities cannot be avoided.

**Mitigation Measure 3.4-2: Avoid California Red-Legged Frog**

The following measures shall be implemented during project activities in the Alpine Retention Pond:

- Vegetation removal shall include only hand cutting of vegetation (e.g., no disturbance of the bed of the pond).
- Vegetation removal shall involve as few personnel as possible to complete the work.
- If water is present within the pond during project activities, no vegetation removal shall occur within ponded areas.
Mitigation Measure 3.4-3: Avoid Western Pond Turtle
The following measures shall be implemented during project activities:

- No dredging activities will be conducted within ponded areas in any of the maintenance sites.
- If a turtle is observed during project activities, all work shall cease. Prior to continuing project activities in the maintenance site, CDFW shall be notified and consulted for guidance on appropriate measures to reduce impacts on western pond turtles. These measures may include pre-activity surveys or the presence of a biological monitor during project activities.

Mitigation Measure 3.4-4: Avoid Elderberry Shrubs
The following measures shall be implemented during project activities:

- All vehicle, equipment, and personnel staging shall be limited to unvegetated areas, including impervious surfaces (e.g., asphalt, cement), or areas with bare earth.
- Vegetation removal shall be completely limited to the main stream channel, and will not occur on the banks of the stream channel or upland areas surrounding the stream.
- Within Sutter Street Drainage and the North, Middle, and South Forks of Jackson Creek, vegetation removal shall be limited to grasses and herbaceous species. Trees and shrubs will not be removed or trimmed.
  - If removal or trimming of trees and shrubs cannot be avoided within these four maintenance sites, a pre-activity survey by a qualified biologist shall be required to identify and flag elderberry shrubs within the project site. Elderberry shrubs identified during pre-activity surveys and a buffer of 20 feet from the dripline of the shrubs shall be avoided completely during project activities.

Mitigation Measure 3.4-5: Avoid Nesting Bird Season or Conduct Pre-Activity Nesting Bird Surveys and Implement Avoidance Measures and Mitigation
The following avoidance measures shall be implemented during project activities:

- To minimize the potential for loss of northern harrier, tricolored blackbird, white-tailed kite, other nesting raptors, and other native nesting birds, vegetation (e.g., tree, shrub, grass) removal activities shall occur only during the nonbreeding season (September 1–January 31). If this sensitive period is avoided, further mitigation would not be required.
- If project activities cannot be avoided during the nesting bird breeding season, prior to removal of any vegetation or other ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct pre-activity surveys for nesting special-status birds, other raptors, and other native nesting birds within all suitable nesting habitat (e.g., trees, shrubs, grasses) and shall identify active nests within 500 feet of the project site. The surveys shall be conducted between February 1 and August 31, no more than one week prior to the start of project activities. If project activity lapses for more than two weeks after the initial survey, another survey shall be conducted.
  - If no nests are detected during the pre-activity survey, then further mitigation is not required.
  - If nests are identified during the pre-activity survey, impacts to nesting birds, including direct impacts and indirect impacts (e.g., noise, presence of work crews) shall be avoided by establishing appropriate buffers around active nest sites identified during the pre-activity survey. Factors to be considered for determining buffer size will include the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffer size may be adjusted if the qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. The buffer areas shall be protected with construction fencing, and no activity shall occur within the buffer areas until the qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Monitoring of the nest by a qualified biologist during project activities (e.g.,
Mitigation Measure 3.4–6: Avoid Potential Special-Status Bat Roosts

The following measures shall be implemented during project activities:

- To minimize the potential for disturbance of pallid bat or Townsend’s big-eared bat, project activities shall not occur during the bat maternity season (April 1 to August 31).
- Project activity under bridges shall be avoided to the extent feasible.
- If project activities must occur under or directly adjacent to bridges to achieve project objectives, and bats are seen or begin to emerge in response to the presence of personnel, project activities shall cease. Prior to continuing project activities in the maintenance site, CDFW shall be notified and consulted for guidance on appropriate measures to reduce impacts on special-status bats. These measures may include no-disturbance buffers or the presence of a biological monitor during project activities.

Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Less than significant with mitigation incorporated. The project site contains riparian habitat along the banks of Jackson Creek and oak woodland habitat is present adjacent to much of the maintenance sites. These habitats are considered sensitive natural communities. Proposed annual maintenance activities include removal of vegetation (e.g., trees, shrubs, grasses) with hand tools and mechanical vegetation cutters and shredders. Direct removal of oak woodland habitat is not expected to occur, as it is not an objective of this project. Implementation of the following mitigation measures would reduce impacts to riparian habitat and oak woodland to less than significant by avoiding removal of habitat and revegetation for disturbed areas.

Mitigation Measure 3.4–7: Avoid Sensitive Riparian and Oak Woodland Habitat

The following measures shall be implemented during project activities:

- All vehicle, equipment, and personnel staging shall be limited to unvegetated areas, including impervious surfaces (e.g., asphalt, cement), or areas with bare earth.
- Vegetation removal shall be completely limited to the main stream channel, and will not occur on the banks of the stream channel or upland areas surrounding the stream.

For project activities that would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under California Fish and Game Code Section 1602, a Streambed Alteration Notification for Routine Maintenance shall be submitted to CDFW, pursuant to Section 1600 et seq. of the California Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the applicant shall abide by the conditions of any executed agreement prior to any ground disturbance or vegetation maintenance. These conditions shall include, but are not limited to:

- Seeding. Permittee shall restore all exposed/disturbed areas and access points within the project area, by seeding with a locally native grass mix, unless otherwise agreed upon with CDFW. Revegetation shall be completed as soon as possible after construction activities.
- Native Plant Materials. Revegetation shall include only local plant materials native to the project area, unless otherwise approved by CDFW in writing.
- Prohibited Plant Species. Permittee shall not plant, seed or otherwise introduce invasive non-native plant species. Prohibited invasive non-native plant species include those identified in the California Exotic Pest Plant Council’s database, which is accessible at: http://www.cal-ipc.org.
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**Less than significant impact.** The maintenance sites contain aquatic habitat within Jackson Creek, other drainages, and two retention ponds; all of which likely qualify as waters of the state and United States. Proposed annual maintenance activities include removal of vegetation (e.g., trees, shrubs, grasses) with hand tools and mechanical vegetation cutters and shredders, and some removal of silt, sand, or sediment to maintain capacity and flow within these features. These activities would typically occur during the driest periods within these features. Project implementation would not result in fill or removal of these aquatic features, nor would it result in hydrological interruption of these features. This impact would be less than significant and no mitigation is required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Less than significant impact.** Jackson Creek and the undeveloped habitat within and in the vicinity of the City provides connectivity to surrounding natural habitats for wildlife species, including terrestrial wildlife and fish. Proposed annual maintenance activities include removal and trimming of vegetation to maintain capacity in the creek and drainage channels. Project implementation is not expected to significantly change the character of the riparian habitat or aquatic habitat associated with Jackson Creek, or prevent wildlife from moving through the area. Project activities may interfere with wildlife species movement while proposed annual maintenance activities are underway, however; the activities would be temporary and the project site will be restored to original conditions. This impact would be less than significant, and no mitigation is required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Less than significant impact.** Chapter 17.40 of the City of Jackson Municipal Code consists of provisions for the protection and replacement of trees. Specifically, the Code requires the placement of protective fencing along the outside of the dripline of trees to be retained and replacement requirements of 3:1 of any tree 16 inches in diameter (at a trunk height of 4.5 feet) or greater. In addition, the Code requires Planning Commission approval of removal of any tree 8 inches in diameter and greater. While proposed annual maintenance activities may include removal of trees, no trees greater than 4 inches DBH would be removed. Therefore, project activities would not result in conflict with the City of Jackson Municipal Code, impacts would be less than significant, and no mitigation is required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No impact.** The City of Jackson is not a participant in any adopted habitat conservation plan or natural community conservation plan. Thus, there would be no impact and no mitigation is required.
### 3.5 CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

#### V. Cultural Resources.

Would the project:

a) **Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

c) **Disturb any human remains, including those interred outside of dedicated cemeteries?**

#### 3.5.1 Environmental Setting

Numerous cultural resources studies have been conducted for various projects and other local government plans and private development projects in and near the City. Information from the 2007 Jackson Land Use, Circulation and Zoning Project Update EIR was used in this analysis.

The City lies within the traditional territory of the Eastern Me-Wuk speaking groups in the late prehistoric and early ethnographic periods. With the discovery of gold in 1848, Me-Wuk groups were largely displaced during the Gold Rush. By 1849, Northern California was overrun with miners hoping to find gold and Mokelumne River and its tributaries in Amador County became a key waterway for gold mining. The community of Jackson was formed and had seven buildings and 100 citizens as of 1850. The economy later diversified to include farming, viticulture, and cattle ranching.

A records search was performed at the Northwest Information Center on March 25, 2020. Results from the records search indicate that no structures, features, and/or sites are located within the project areas and that 37 features have been identified within a 0.25-mile buffer of the project areas. Of these features, 36 are historic-era and one is prehistoric. Of the 36 historic-era features, 25 are buildings and structures, while the remainder are various sites (including cemeteries). Four previous reports have been conducted within the project area and 23 have been conducted within a 0.25-mile buffer of the project area.

#### 3.5.2 Discussion

a) **Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

*No impact.* There are numerous historical buildings, places, and resources located within the City based on review of past studies. Given the location of the historic properties outside of the routine maintenance sites and the nature of the project activities proposed, routine operations and maintenance activities in this project would not cause direct or indirect impact to these known historical resources. All the maintenance sites are within the creek channel and in immediate vicinity of the other water features and there are few physical structures near these facilities. Routine operation and maintenance actions would not impair the eligibility of resources for listing in historical registers nor cause any direct or indirect impacts to the historic integrity of the properties.
b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

**Less than significant with mitigation incorporated.** There is potential for inadvertent discovery of archeological artifact during minor grading and earthwork, therefore implementation of Mitigation Measure 3.5-1 would reduce this impact to less than significant by stopping project activities to properly identify the resource and develop specific measures to protect the archaeological resource or tribal cultural resource.

**Mitigation Measure 3.5-1: Inadvertent Discoveries When No Archaeological or Tribal Monitor is Present**

The following mitigation measure applies to CEQA Guidelines Section 15370 and is intended to address inadvertent discoveries made by construction personnel, agencies, or consultants at the work site when no archaeological or tribal monitor is present during ground disturbing activities.

If a potential tribal cultural resources (TCRs), archaeological resources are discovered during ground disturbing activities, all work shall cease within 100 feet of the find (or an appropriate distance based on the apparent distribution of the TCR). A qualified cultural resources specialist meeting the **Secretary of Interior’s Standards and Qualifications for Archaeology**, as well as Native American representatives from traditionally and culturally affiliated Native American tribes for discovered TCRs that have engaged in consultation for the project will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts.

The types of treatment that protects, preserves or restores the integrity of a TCR may include tribal monitoring, or recovery of cultural objects, and reburial of cultural objects or cultural soil that is done in a culturally appropriate manner. Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If adverse impacts to TCRs, unique archeology, or other cultural or archaeological resources occurs, then consultation shall commence with culturally affiliated Native American tribes. To coordinate for compensation for the impact to a TCR, the tribal consultation will be regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b).

If articulated or disarticulated human remains are discovered during ground disturbing construction activities or ground disturbing activities, all work shall cease within 100 feet of the find, and the provisions provided in the Health and Safety Code Section 7054 and Public Resources Code 5097.98, 5097.99. 5097.991, and compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) shall be implemented.

**c) Disturb any human remains, including those interred outside of formal cemeteries?**

**Less than significant with mitigation incorporated.** Archaeological and historical investigations have been conducted within the City, but the entire City has not been subjected to investigation. No human burials have been discovered during the previous routine maintenance activities by the City. However, there is potential for routine maintenance activities and operations to inadvertently unearth a human burial during activities. Implementation of Mitigation Measure 3.5-2 would reduce this impact to less than significant through identification and proper handling of remains.

**Mitigation Measure 3.5-2: Stop Work if Human Remains are Discovered**

In accordance with the California Health and Safety Code, if human remains are uncovered all work within the area will stop and the Amador County Coroner and a professional archaeologist will be contacted to determine the nature of the remains. The county coroner is required to examine all discoveries of human remains within 48 hours of receiving a notice of discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she will contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner’s findings, the archaeologist and the NAHC-designated Most Likely Descendent (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed.
3.6 ENERGY

3.6.1 Environmental Setting

Natural gas and electricity service in the project area is provided by the Pacific Gas & Electric Company. California relies on a regional power system composed of a diverse mix of natural gas, petroleum, renewable, hydroelectric, and other energy resources noted below:

- **Petroleum**: Petroleum products (gasoline, diesel, jet fuel) are consumed almost exclusively by the transportation sector, and account for almost 99 percent of the energy used in California by the transportation sector, with the rest provided by ethanol, natural gas, and electricity (Bureau of Transportation Statistics 2015). Between January 2007 and May 2016, an average of approximately 672 billion gallons of gasoline were purchased in California (California State Board of Equalization 2016). Gasoline and diesel fuel sold in California for motor vehicles is refined in California to meet specific formulations required by the California Air Resources Board (CARB) (U.S. Energy Information Administration [EIA] 2020).

- **Natural Gas**: Almost two-thirds of California households use natural gas for home heating, and about half of California’s utility-scale net electricity generation is fueled by natural gas (EIA 2020).

- **Electricity and Renewables**: The California Energy Commission (CEC) estimates that 34 percent of California’s retail electricity sales in 2018 will be provided by RPS-eligible renewable resources (CEC 2019). California regulations require that electricity consist of 33 percent renewables by 2020 and 50 percent renewables by 2030 for all electricity retailers in the state.

- **Alternative Fuels**: Conventional gasoline and diesel may be replaced (depending on the capability of the vehicle) with many alternative transportation fuels (e.g., biodiesel, hydrogen, electricity, and others). Use of alternative fuels is encouraged through various statewide regulations and plans (e.g., Low Carbon Fuel Standard, Assembly Bill [AB] 32 Scoping Plan).

3.6.2 Discussion

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less than significant impact.** Energy would be consumed during routine maintenance activities to operate and maintain equipment, transport materials, and for worker commute. However, most of the work would be performed with hand tools that would not require energy consumption. In addition, all maintenance activities are temporary and are short in duration. These maintenance activities occur annually and the continuation of these activities would not
result in an increase in the consumption of energy beyond annual maintenance operations of the City. Therefore, this would not be an inefficient, wasteful, or unnecessary consumption of energy resources.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

*No impact.* Applicable plans include the 2015 Jackson Energy Action Plan which focuses on expanding energy efficiency and renewable energy efforts underway in the City of Jackson. The Plan builds upon energy-efficiency efforts and work conducted by the Sierra Business Council in 2010. As discussed in criterion (a), the project consists of the continuation of annually maintenance activities and would not be considered an inefficient, wasteful, or unnecessary consumption of energy resources. Thus, it would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.
3.7 GEOLGY AND SOILS

VI. Geology and Soils.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
   i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)
   ii) Strong seismic ground shaking?
   iii) Seismic-related ground failure, including liquefaction?
   iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

3.7.1 Environmental Setting

Jackson and Amador County are in the Sierra Nevada foothills of central California. A west to east cross section through California at Jackson would reveal three major geomorphic provinces. These consist of the Coast Ranges, Great Valley, and Sierra Nevada geomorphic provinces. Beyond the Great Valley to the east are the granitic plutons and metamorphic rocks which form the Sierra Nevada geomorphic province. Younger volcanic and sedimentary deposits are also present in the Sierra Nevada. The project lies within the Sierra foothill metamorphic belt which consists of a strip Mesozoic sedimentary and volcanic rocks which have been highly metamorphosed by the orogenic processes which formed the Sierra Nevada.
SEISMIC HAZARDS

Seismic hazards refer to earthquake-induced ground rupture, ground shaking, liquefaction, or water movement. The City is generally located approximately 2 miles north of the closest fault (Poorman Gulch fault) in the Bear Mountains Fault zone and approximately 29 miles northwest of the closest fault (Raw Hide East fault) in the Melones Fault zone. There are no Alquist-Priolo fault zones located in Amador County. Active faults are located approximately 80 miles to the east of the City and along the easterly margin of the Sierra Nevada province. These structures have a long history of producing moderate to large earthquakes. The Bear Mountains Fault zone located approximately two to five miles to the south delineates the west side of this westerly concentration of faults. The Melones Fault Zone, located approximately 29 miles southeast of the City, defines the easterly margin of these faults.

In the past, the Foothills fault system was considered an inactive system with no known creep or displacement of geologic features since the late Cretaceous period. However, in August of 1975, a northern subordinate structure of the fault system located near Oroville experienced a magnitude 5.7 earthquake. Since that time, it has been proposed that the Foothills fault system is capable of producing earthquakes of magnitude up to 6.5. However, as discussed in the Jackson General Plan it is estimated that the recurrence interval for the projected “maximum event” is on the order of 25,000 years. Therefore, it appears that the City has a very low probability of being subjected to a maximum event during the life of the project. Additionally, the Amador County General Plan states the expected earthquake intensity for the area surrounding the site is considered as minor to moderate.

According to the CDMG Geologic Data Map No. 6, all known faults located in the vicinity of the City are not active, since no movement has taken place along them within the past 10,000 years or during Holocene time. However, all subordinate faults to the Foothills Fault system should be considered potentially active with low seismic potential because the Foothills Fault system (includes the Bear Mountain and Melones Fault zones) has experienced movement along one of its other subordinate faults located near this system’s northerly terminus.

3.7.2 Discussion

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)

No impact. There are no Alquist-Priolo fault zones located in Amador County nor are there any active faults located in the vicinity of the City, as classified by a State Geologist. Active faults are located approximately 80 miles to the east of the City and along the easterly margin of the Sierra Nevada province. The proposed project involves removal of vegetation and debris from Jackson Creek, pertinent drainages, and retention basins for a short duration of time, which is highly improbable to cause rupture of a known earthquake fault. The proposed routine maintenance activities would occur for a short duration of time and would not increase hazards associated with faults above current conditions.

ii) Strong seismic ground shaking?

No impact. As discussed in criterion (ai) above, the project sites are not located in a Alquist-Priolo fault zone, nor are there any active faults in vicinity of the project sites or City. The routine maintenance activities include vegetation and debris removal, which would not cause and expose people to strong seismic ground shaking. The proposed routine maintenance activities would occur for a short duration of time and would not increase seismic hazards above current conditions.
iii) Seismic-related ground failure, including liquefaction?

No impact. As discussed in criterion (ai) above, the project sites are not located in a Alquist-Priolo fault zone, nor are there any active faults in vicinity of the project sites or City. The routine maintenance activities include vegetation and debris removal, which are highly improbably to cause and expose people to seismic-related ground failure, including liquefaction. The proposed routine maintenance activities would occur for a short duration of time that would not increase seismic hazards above current conditions.

iv) Landslides?

No impact. Risk of landslide would not be increased as a result of any of the ongoing or future routine maintenance activities identified as these activities would occur along creeks and other water features not within steep slope areas.

b) Result in substantial soil erosion or the loss of topsoil?

Less than significant with mitigation incorporated. Routine maintenance activities involve vegetation and debris removal, which could disturb soil conditions that result in soil erosion and sedimentation of creeks and other water features. Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks.

Mitigation Measure 3.7-1: Implement Erosion Control Measures

The City shall actively implement best management practices (BMPs) to minimize turbidity and siltation and prevent erosion and the discharge of sediment where it may pass into creeks and other water features. Precautions shall include, but are not limited to pre-construction planning to identify site specific turbidity and siltation minimization measures; best management erosion control practices during project activity; and settling, filtering, or otherwise treating silty and turbid water prior to discharge into a stream or storm drain. This may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches.

- BMPs shall be monitored daily and repaired if necessary to ensure maximum erosion and sediment control.
- All fiber rolls, straw wattles, and/or hay bales utilized within and adjacent to the sites shall be free of non-native plant materials. Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Products with plastic monofilament or cross joints in the netting that are bound/stitched (such as found in straw wattles/fiber rolls and some erosion control blankets), which may cause entrapment of wildlife, shall not be allowed.
- If any sediment barrier fails to retain sediment, corrective measures shall be taken. The sediment barrier(s) shall be maintained in good operating condition throughout the construction period and the following rainy season. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw pale dikes.
- All areas and access points exposed or disturbed during project activities shall be restored as set forth in Mitigation Measure 3.4-7.

C) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No impact. Unstable geologic units or soils are generally not present at the maintenance sites. The project would not create new geologic stability impacts because vegetation and silt removal would not substantial excavation or grading.
d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?**

*No impact.* Routine maintenance activities would not involve the construction of structures that could be damaged from expansive soil conditions.

e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

*No impact.* Routine maintenance activities include vegetation and debris removal for a short duration of time and would not require the use of septic tanks or alternative wastewater disposal systems.

f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

*Less than significant with mitigation incorporated.* No fossils or paleontological artifacts have been found during previous maintenance activities. There is potential for inadvertent discovery of paleontological resources or geologic features during minor grading and earthwork. Implementation of Mitigation Measure 3.7-2 would reduce this impact to less than significant through protection and/or recovery of discovered resources.

**Mitigation Measure 3.7-2: Stop Work if Fossils or Other Artifacts are Inadvertently Discovered**

The City shall stop construction and excavation activities if fossils or other geological features are observed or unearthed during construction activities and retain a qualified professional paleontologist to document and record the artifacts found at the site. Artifacts may be retained and archived by the City, given to the County Museum or the U.C. Berkeley Museum of Paleontology as museum specimens for display. The professional paleontologist will prepare a brief report documenting the fossils and their final disposition to the City.
3.8 GREENHOUSE GAS EMISSIONS

VIII. Greenhouse Gas Emissions.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

3.8.1 Environmental Setting

GHGs of most concern include the following compounds:

- Carbon Dioxide (CO₂). Anthropogenic CO₂ emissions are primarily generated by fossil fuel combustion from stationary and mobile sources. Due to the emergence of industrial facilities and mobile sources over the past 250 years, the concentration of CO₂ in the atmosphere has increased 35 percent. Carbon dioxide is also generated by natural sources such as cellular respiration, volcanic activity, decomposition of organisms, and forest fires. Carbon dioxide is the most widely emitted GHG. In 2004, 82.8 percent of California's GHG emissions were CO₂.

- Methane (CH₄). Methane is emitted from biogenic sources (i.e., resulting from the activity of living organisms), incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. In the US, the top three sources of CH₄ are landfills, natural gas systems, and enteric fermentation. Methane is the primary component of natural gas, which is used for space and water heating, steam production, and power generation.

- Nitrous Oxide (N₂O). Nitrous oxide is produced by natural and human-related sources. Primary human-related sources include agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production.

Climate change is defined as any significant change in climate metrics, including temperature, precipitation, and wind patterns, over a period of time (U.S. EPA Glossary of Climate Change Terms, http://www.epa.gov/climatechange/glossary.html#C). The effects of climate change most people refer to today stems from “global warming,” a relatively recent phenomenon of rising average temperatures across the globe. The temperature increase is thought to be due in large part to the human-induced increase in greenhouses gas emissions released into the atmosphere as a result of combustion. Common greenhouse gases (GHG) such as carbon dioxide, methane, and nitrous oxide trap radiant heat from the earth causing the average temperature to rise. Climate change research in reports from the United Nations Intergovernmental Panel on Climate Change (IPCC) (www.ipcc.ch), U.S. Climate Change Science Program’s Science Synthesis and Assessment Products, and the U.S. Global Change Research Program, conclude that earth’s climate is already changing. This change is expected to accelerate and human GHG emissions, primarily CO₂, are the main source of accelerated climate change. This rise in temperature changes the climate worldwide and have already and will continue to cause or increase the severity of droughts, flooding, wildfires, and food and water shortages.

Climate change in the City is anticipated to increase frequency and alter timing of flooding which would increase risk to agriculture, people, ecosystems and infrastructure. Potential impacts on water resources include reduced mountain snowpack, delayed snow accumulation, earlier snow melting and ultimately shortages in runoff and water supply. Extended droughts may increase wildland fire risk.
The City of Jackson General Plan does not include specific policies dealing with greenhouse gas emissions.

3.8.2 Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than significant impact.** The continuance of routine maintenance operations and activities would generate emissions primarily from worker vehicles traveling to and from the various sites throughout the City. All worker vehicles and contractor vehicles are registered and meet air emissions standards California Air Resources Board (CARB) designed to minimize greenhouse gas emissions. The use of gasoline or diesel powered vehicles would result in daily emissions of GHG; however, CO₂ generated would not increase from previous annual maintenance activities.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than significant impact.** As discussed in criterion (a), the project would not create new greenhouse gas emissions. There are no City adopted GHG reduction plans. Vehicles and equipment used in maintenance activities are subject to emission standards set forth by CARB.
### 3.9 HAZARDS AND HAZARDOUS MATERIALS

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<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
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<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>IX. Hazards and Hazardous Materials.</td>
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<td>Would the project:</td>
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<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
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<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?</td>
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<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
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<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
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<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?</td>
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<td>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
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<td>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?</td>
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### 3.9.1 Environmental Setting

Hazardous materials include all flammable, reactive, corrosive, or toxic substances, which, because of these properties, pose potential harm to the public or environment. Hazardous materials include, but are not limited to, agricultural chemicals, natural gas and petroleum, explosives, radioactive materials, and various commercial substances that are used, stored, or produced.

Hazardous waste is a waste, or a combination of wastes that either cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of.
Numerous Federal and State laws regulate hazardous materials and waste such as the Environmental Protection Agency (EPA) and California Department of Health Services (CDHS). However, depending on the waste, the Air Resources Board or the State Water Resources Control Board or another agency may be involved. Locally, the Amador County Environmental Health Department has responsibility for enforcing some state standards and is the local Certified Unified Program Agency (CUPA).

The CUPA issues permits for hazardous material storage, the generation of hazardous waste, and underground and aboveground storage tanks in Amador County. The department also administers the Hazardous Material Release Response Plan and Inventory (Business Plan) and California Accidental Release Prevention programs.

### 3.9.2 Discussion

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

*Less than significant impact.* No acutely hazardous materials would be routinely transported, used, or disposed through the implementation of routine maintenance activities.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?**

*Less than significant impact.* No hazardous materials would be used as part of the implementation of routine maintenance activities.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

*No impact.* While routine maintenance activities may occur within one quarter mile of existing or proposed schools, the routine maintenance activities would not involve the use or handling of hazardous or acutely hazardous materials, substances, or waste.

**d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

*No impact.* GeoTracker was reviewed to determine if any hazardous materials sites occur on or near maintenance sites (State Water Resources Control Board 2020). GeoTracker is the State Water Resources Control Boards' data management system for sites that require cleanup, such as leaking underground storage tank (LUST) sites, Department of Defense sites, and cleanup program sites. GeoTracker also contains records for various unregulated projects as well as permitted facilities that include oil and gas production, operating permitted USTs, and land disposal sites. No hazardous material sites were identified at the maintenance sites.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

*No impact.* The closest airport to the City is the Amador County (Westover Field) Airport located over two miles to the north. The project would not generate new airport safety hazard or excessive noise to people residing or working in the vicinity of the airport because the project activities are limited to maintenance activities creeks and other water features.
f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No impact.** Amador County maintains a Multi-Hazard Mitigation Plan and is currently revising the Emergency Operations Plan (EOP). The routine maintenance activities include vegetation and debris removal from the creek and in immediate vicinity of the creek and other water features for a short duration of time. No roadway closures that could conflict with emergency response or evacuation operations are anticipated during the routine maintenance activities.

g) **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

**No impact.** The project would consist of vegetation thinning and removal that would provide benefit in reducing fire fuels and would not expose people or structures to new or increased risk from wildland fires.
### 3.10 HYDROLOGY AND WATER QUALITY

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<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
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<th>Less Than Significant with Mitigation Incorporated</th>
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<th>No Impact</th>
</tr>
</thead>
</table>

**X. Hydrology and Water Quality.**

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?  

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
   
i) Result in substantial on- or offsite erosion or siltation;  

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv) Impede or redirect flood flows?

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

3.10.1 Environmental Setting

Most of the City is encompassed within three principal watersheds: Jackson Creek, Jackass Gulch, and Lake Tabeaud. The two major rivers are the North Fork Mokelumne River and Jackson Creek.

**GROUNDWATER RESOURCES**

Within the foothill region of the Sierra Nevada Mountains, groundwater resources are highly variable with respect to quantity, depth, dependability, and quality. Annual rainfall for the area is approximately 30 inches and soils are relatively thin with shallow underlying bedrock. Since deep alluvium is absent, groundwater resources reside mostly in fractures within underlying bedrock. According to studies by the U. S. Geology Survey in foothill areas of the Sierra...
Nevada Mountains. The fracture front in underlying bedrock normally terminates at depths of about 215 feet and porosity ranges between 0 to 5 percent for more massive volcanic rocks.

**FLOODING**

The City’s flood concerns occur mostly where portions of Jackson Creek flow through the City. The City is located where the upper branches of Jackson Creek connect to form a main channel. There are no major dams located within the upper reaches of the Jackson Creek watershed area located up gradient from the City. Therefore, no flood control structures exist above the City. Historical flooding has been confined to narrow areas along streams typically less than 150-feet wide. The Jackson Creek channel is constrained by walls and in a few places covered over with buildings located within the City’s central business district area. The majority of the City is located outside of the 100-year floodplain as determined by the Federal Emergency Management Agency (FEMA). Portions of the Planning Area located along the branches of Jackson Creek and Oneida Creek are within the 100-year floodplain.

**SURFACE WATER QUALITY**

The Upper Mokelumne hydrologic unit is part of the California Regional Water Quality Control Board’s Central Valley Region (CVRWQCB). The Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin (Basin Plan) addresses surface and groundwater quality within the basins. The Upper Mokelumne hydrologic unit, which contains both the Sutter and Jackson Creek watersheds was determined to have no existing water quality impairments. The Basin Plan determined that the Upper Mokelumne does not have significant water quality problems; however, its vulnerability to potential problems was found to be relatively high. As part of operation of the City’s wastewater treatment plant (WWTP), the City has conducted surface water quality sampling of Jackson Creek on a quarterly basis since 2002. This sampling data includes water quality information associated with volatile organics, semi-volatile organics, inorganics, pesticides, and other constituents (e.g., total dissolved solids, nitrate and nitrite, phosphorus and pH).

**3.10.2 Discussion**

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

*Less than significant with mitigation incorporated.* Some routine maintenance activities have the potential to discharge sediments and pollutants into local surface waters that could conflict with the Basin Plan. As described in Section 3.7, “Geology and Soils,” Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

*No impact.* The routine maintenance activities include vegetation and debris removal which would have no impact on groundwater supplies as groundwater supplies would not be needed to support these activities nor would these activities impact groundwater resources.
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial on- or offsite erosion or siltation;

Less than significant with mitigation incorporated. Some routine maintenance activities have the potential to discharge sediments and pollutants into creeks and other water features. As described in Section 3.7, “Geology and Soils,” Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

No impact. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. No new flooding impacts would occur from these activities.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than significant with mitigation incorporated. Some routine maintenance activities have the potential to discharge sediments and pollutants into creeks and other water features. As described in Section 3.7, “Geology and Soils,” Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. No new flooding impacts would occur from these activities.

iv) Impede or redirect flood flows?

No impact. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. No new flooding impacts would occur from these activities.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than significant with mitigation incorporated. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. No new flooding impacts would occur from these activities. The City is not located in a tsunami or seiche zone. As described in Section 3.7, “Geology and Soils,” Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than significant with mitigation incorporated. Some routine maintenance activities have the potential to discharge sediments and pollutants into local surface waters that could conflict with the Basin Plan. As described in Section 3.7, “Geology and Soils,” Implementation of Mitigation Measure 3.7-1 would require the implementation of erosion control measures to avoid the potential for soil erosion and sedimentation of creeks. The City of Jackson is not subject to a sustainable groundwater management plan.
## 3.11 LAND USE AND PLANNING

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<thead>
<tr>
<th>ENVIRONMENTAL ISSUES</th>
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<th>No Impact</th>
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### XI. Land Use and Planning.

Would the project:

a) Physically divide an established community?

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

### 3.11.1 Environmental Setting

The City of Jackson General Plan is the guiding planning document for land uses in the project region. The General Plan Land Use Element was adopted in 2011 and provides the guiding planning policies and objectives for land uses in the City. The routine operations and maintenance activities generally do not require changes in land use or zoning or any discretionary permits from the City.

### 3.11.2 Discussion

a) Physically divide an established community?

No impact. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. These activities would not create a new physical feature that would divide the City.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No impact. The routine maintenance activities consist of vegetation and debris removal from the creek corridors and other water features to maintain or improve surface water flows and avoid flooding. The routine maintenance activities would not conflict with the General Plan or adopted regulations because it would not alter land uses or environmental protection standards of the City.
3.12 MINERAL RESOURCES

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<th>ENVIRONMENTAL ISSUES</th>
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<th>Less Than Significant with Mitigation Incorporated</th>
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<th>No Impact</th>
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XII. Mineral Resources.

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

☐ ☐ ☐ ☒

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

☐ ☐ ☐ ☒

3.12.1 Environmental Setting

Areas within and around the City of Jackson have historically been the site of gold mining activities, including the Argonaut Mine and Amador De Oro sites within the City. The California Geological Survey and the State Mining and Geology Board do not designate any areas of the City as containing, or potentially containing, significant mineral resources (City of Jackson 2007:4.6-9).

3.12.2 Discussion

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No impact. No areas of the City are designated by the State of containing, or potentially containing, significant mineral resources. Thus, routine maintenance activities would not result in the loss of availability of a known mineral resource that would be of regional and statewide value.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No impact. No areas of the City are designated by the State or the City General Plan of containing, or potentially containing, significant mineral resources. The proposed project would not convert any lands from current mineral resources use to other uses. Thus, routine maintenance activities would not result in the loss of availability of a known mineral resource that would be of regional, statewide, or local value.
3.13 NOISE

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<th>ENVIRONMENTAL ISSUES</th>
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<tr>
<td><strong>Potentially Significant Impact</strong></td>
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</table>

XIII. Noise.

Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

☐ ☐ ☐ ☒

b) Generation of excessive groundborne vibration or groundborne noise levels?

☐ ☐ ☐ ☒

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

☐ ☐ ☐ ☒

3.13.1 Environmental Setting

The background noise levels in the vicinity of the project sites vary but are relatively quiet in nature. Several sources of noise that could affect residents were identified within the City of Jackson. These sources include noise generated from stationary activities (e.g., commercial and industrial uses), and traffic on major roadways and highways. Community ambient noise surveys were conducted in March 2006 for the purpose of documenting and measuring the existing noise environment in various areas in and around the City. Major noise sources noted during the community noise surveys included traffic on local roadways, occasional aircraft overflights, and residential neighborhood activities (e.g., people talking, children playing, dogs barking). Based on the monitoring conducted, average daily noise levels within the City ranged from the low 40 decibels (dB) to the upper 60 dBs, dependent primarily on distance from area roadways.

Noise is addressed in the Noise Element of the City of Jackson General Plan. Chapter 17.44 of the Jackson Municipal Code establishes standards for the elimination and regulation of noise disturbances to protect the health, safety, welfare, and living/working environments of those living and working in the City.

3.13.2 Discussion

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

No impact. A temporary increase in noise is expected to be generated by equipment, vehicles, and personnel during routine maintenance activities; however, this impact would be temporary in nature and is noise from routine maintenance activities that has been annually occurring in the City. Per the City of Jackson Development Code Section 17.44.070 (E), the project is exempt from noise standards because it involves maintenance operations consisting of debris and limb removal, thus no impact would occur.
17.44.070 (E): Public health, safety, and welfare activities. The provisions of this Section shall not apply to construction or maintenance and repair operations conducted by public agencies and/or utility companies or their contractors which are deemed necessary to serve the best interests of the public and to protect the public health, safety, and welfare, including debris and limb removal, removal of downed wires, repairing of gas lines, oil lines, roads, sewers, sidewalks, storm drains, traffic signals, water hydrants and mains, restoring electrical service, street sweeping, unplugging sewers, vacuuming catch basins, etc.

b) Generation of excessive groundborne vibration or groundborne noise levels?

No impact. As discussed in criterion (a), the routine maintenance activities would create a temporary increase in noise, however, the noise is from routine maintenance activities that have been routinely occurring in the City and the routine maintenance activities are exempt from noise standards. None of these activities would involve construction impact tools (e.g., jack hammers and pile drivers) that could create vibration.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No impact. The closest airport to the City is the Amador County (Westover Field) Airport located over two miles to the north. The project would not generate new airport noise sources to people residing or working in the vicinity of the airport because the project activities are limited to maintenance activities creeks and other water features.
3.14 POPULATION AND HOUSING

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<tr>
<th>ENVIRONMENTAL ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
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<tr>
<td>XIV. Population and Housing. Would the project:</td>
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<tr>
<td>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>│</td>
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<tr>
<td>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</td>
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</table>

3.14.1 Environmental Setting

From 1960-1970, there was a 3.89 percent growth in population in the City according to the U.S. Census. However, after 1970, the City’s population increased rapidly. In 2000, the City of Jackson had a population of 3,989. Using the 0.7 percent per year growth projection, the City is expected to have a population of 4,748 by the year 2025. The main employment categories are educational services and health care; professional, scientific, and management; retail trade; recreation services; and public administration.

3.14.2 Discussion

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No impact. The proposed project would not affect population and housing. Routine maintenance activities in the creek and in immediate vicinity of the creek and other water features would maintain capacity of the creek and drainage features and would not directly or indirectly induce population growth. No permanent employment would be created.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No impact. Routine maintenance activities would not displace people, remove housing, or necessitate construction of replacement housing.
3.15 PUBLIC SERVICES

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<tr>
<th>ENVIRONMENTAL ISSUES</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
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XV. Public Services.

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- Fire protection? □ □ □ ☒
- Police protection? □ □ □ ☒
- Schools? □ □ □ ☒
- Parks? □ □ □ ☒
- Other public facilities? □ □ □ ☒

3.15.1 Environmental Setting

Fire protection within the City is provided by the Jackson Fire Department, a full-time and volunteer organization providing fire protection and suppression and emergency response to the residents of Jackson and surrounding areas. Police protection is provided by the Jackson Police Department, which consists of the following broad programs: Patrol, Traffic Enforcement, Parking Enforcement, Detective Division, and Community Oriented Policing. Law enforcement coverage is provided 24-hours-a-day, seven-days-a-week. Education services in the City are provided by the Amador County Unified School District, which provides education for preschool to high school and adult education. The City owns and operates four park facilities. Amador County Library system operates a main branch in Jackson, as well as several other regional branches throughout the county.

3.15.2 Discussion

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire protection?

No impact. The routine maintenance activities consist of vegetation and debris removal, which would not result in substantial adverse physical impact to existing service ratios, response times or other performance objectives for fire protection. Vegetation thinning and removal would provide benefit in reducing fire fuels. Thus, the project would not result in a development requiring expanded services that could create physical environmental impacts.
Police protection?

No impact. The routine maintenance activities consist of vegetation and debris removal, which would not result in substantial adverse physical impact to existing service ratios, response times or other performance objectives for law enforcement. Thus, the project would not result in a development requiring expanded services that could create physical environmental impacts.

Schools?

No impact. The routine maintenance activities consist of vegetation and debris removal, which would not result in substantial adverse physical impact to existing capacities or other performance objectives for schools. Thus, the project would not result in a development requiring expanded services that could create physical environmental impacts.

Parks?

No impact. The routine maintenance activities consist of vegetation and debris removal, which would not result in substantial adverse physical impact to existing capacities or other performance objectives for parks. Thus, this project would not result in a development requiring expanded services that could create physical environmental impacts.

Other public facilities?

No impact. The routine maintenance activities consist of vegetation and debris removal, which would not result in substantial adverse physical impact to existing service ratios, response times or other performance objectives for other public facilities. Thus, the project as it would not result in a development requiring expanded services that could create physical environmental impacts.
### 3.16 RECREATION

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<th>ENVIRONMENTAL ISSUES</th>
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<tbody>
<tr>
<td>XVI. Recreation.</td>
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</table>

Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

| XVI. Recreation.     |                               |                                                   |                            |           |

#### 3.16.1 Environmental Setting

The City owns and operates four park facilities to enhance recreation opportunities for citizens. These vary from a plaza style gathering place at the south end of the historic downtown Jackson area to an active recreation park that includes the City’s municipal pool, a youth baseball diamond and play structure.

#### 3.16.2 Discussion

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No impact.** Maintenance activities are temporary and are anticipated to be short in duration, the activities would not increase the use of existing parks or other recreational facilities such that substantial physical deterioration occurs or is accelerated.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

**No impact.** The routine maintenance activities would not result in the use of existing parks or recreational facilities nor would it create the need for new construction of recreational facilities.
3.17 TRANSPORTATION

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<th>ENVIRONMENTAL ISSUES</th>
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<th>Less Than Significant with Mitigation Incorporated</th>
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<tr>
<td>XVII. Transportation.</td>
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<td>Would the project:</td>
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<tr>
<td>a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?</td>
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<tr>
<td>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d) Result in inadequate emergency access?</td>
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</table>

3.17.1 Environmental Setting

The project sites are located throughout the City along and near Jackson Creek. Regional access to the City is provided by State Route (SR) 49, SR 88, and SR 104 (Ridge Road). Amador Regional Transit System (ARTS) is the only public transit service in the County. ARTS provides fixed-route/demand responsive bus service throughout the western portion of the County. Service can extend up to one-half mile from the designated routes. Currently, there are few designated bicycle routes in Amador County and the City. Only a small percentage of the local population (approximately 1 percent) is using their bicycles in lieu of autos for transportation. This is largely because of the population's preference for automobiles, and the County’s widely disbursed pattern of urbanization combined with its hilly terrain and traffic hazards. Rail service in the City is no longer in service since closure of the Ione Branch of the Amador Foothills Railroad.

3.17.2 Discussion

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

No impact. The routine maintenance activities would occur within and along creeks and other water features and would not alter transportation facilities or conflict with circulation policies or programs.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?

No impact. The annual routine maintenance activities would continue in a manner similar to previous years and would not result in increases in existing vehicle trips. Because the project would not change the amount of development projected for the City, it would not alter anticipated VMT conditions for the City or the County.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No impact. The project includes routine maintenance activities such as vegetation cutting and debris removal and would not result in modifications to roadways.
d) Result in inadequate emergency access?

No impact. The routine maintenance activities include vegetation and debris removal from the creek and in immediate vicinity of the creek and other water features for a short duration of time. No roadway closures that could conflict with emergency access during the routine maintenance activities.
3.18 TRIBAL CULTURAL RESOURCES

XVIII. Tribal Cultural Resources.

Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)?

☐ Yes ☒ No

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

☐ ☐ ☐ ☒

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

☐ ☐ ☐ ☐

3.18.1 Environmental Setting

A records search was performed at the Northwest Information Center on March 25, 2020. Results from the records search indicate that no structures, features, and/or sites are located within the project area and that 37 features have been identified within a 0.25-mile buffer of the project area. Of these features, 36 are historic-era and one is prehistoric. Of the 36 historic-era features, 25 are buildings and structures, while the remainder are various sites (including cemeteries). Four previous reports have been conducted within the project area and 23 have been conducted within a 0.25-mile buffer of the project area.

The City sent requests for tribal consultation under AB-52 to five Native American groups/individuals on September 10, 2019: the Jackson Band of Mi-Wuk Indians, Ione Band of Miwok Indians, Shingle Springs Band of Miwok Indians, United Auburn Indian Community of the Auburn Rancheria (UAIC), and the Torres Martinez Desert Cahuilla Indians. The consultation request letter described the project and requested information or concerns be communicated via email, phone, or regular mail and began the required 30-day period request for consultation period, pursuant to PRC 21080.3.1(d), which closed on October 15, 2019. The consultation is consistent with Public Resources Code (PRC) 21080.3.1 and Chapter 532 Statutes of 2014 (AB 52).

The Jackson Band of Mi-Wuk Indians and the UAIC did not request formal consultation and requested they be sent all environmental documentation.
3.18.2 Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No impact. The cultural resources record search prepared for the project included a search of the Sacred Lands File database that did not yield any records of sacred lands or other tribal cultural resources. Therefore, there are no sites containing tribal cultural resources which are listed or eligible for listing in the California Register of Historic Resources near the maintenance sites.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than significant with mitigation incorporated. The cultural resources record search prepared for the project included a search of the Sacred Lands File database that did not yield any records of sacred lands or other tribal cultural resources. As required by AB 52, letters were sent to the tribes affiliated with the project area. No tribes have requested consultation and there are no records of any tribal cultural resources in the project areas.

Because the location of grave sites and Native American remains can occur outside of identified cemeteries or burial sites, there is a possibility that unmarked, previously unknown Native American or other graves could be present within the project site and could be uncovered by project-related activities. Mitigation Measure 3.5-1 and 3.5-2 would reduce this impact to less than significant by stopping project activities to properly identify the resource and develop specific measures to protect the tribal cultural resources and/or human remains.
### 3.19 UTILITIES AND SERVICE SYSTEMS

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<tr>
<th>ENVIRONMENTAL ISSUES</th>
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<tr>
<td>XIX. Utilities and Service Systems.</td>
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<td>Would the project:</td>
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<tr>
<td>a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?</td>
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<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</td>
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<tr>
<td>c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?</td>
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<tr>
<td>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
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<tr>
<td>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
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### 3.19.1 Environmental Setting

#### STORM DRAINAGE

Storm water runoff is that portion of rainfall not absorbed into the soil that leaves a site by surface flow. A storm drainage system designed to prevent flooding can consist of both natural and man-made structures used to collect, convey, and store rainwater during storms. The captured storm water is eventually discharged to a natural body of water via the terminal basin.

#### WATER SUPPLY

The City purchases treated water from the Amador Water Agency (AWA), which comes from the Mokelumne River. Surface water is subject to a complex federal and state legal system establishing the rights of individual and agencies to water flows through permits, licenses, court decrees, and contracts, and federally prescribed flood control regulations.
WASTEWATER
The City provides wastewater conveyance and treatment services.

SOLID WASTE
The City contracts with Amador County Environmental Services (ACES) for solid waste collection, disposal, and recycling services for all residential, commercial, and industrial customers. The Potrero Hills Landfill has an estimated capacity of 83,100,000 cubic yards and is projected to remain in operation until year 2048 based on its Solid Waste Facility Permit.

3.19.2 Discussion

a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

No impact. The project is restricted to the routine maintenance activities and would not result in the relocation or construction of expanded water, wastewater treatment, electric power, natural gas or telecommunication facilities requirements. Routine maintenance activities would result in the maintenance of drainage channels and ultimately would improve storm water drainage to the region. No new storm water drainage facilities would be required as a result of the routine maintenance activities.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No impact. The project consists of routine maintenance activities including vegetation and debris removal from the creek and other water features, which would not increase water supply demand.

c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand, in addition to the provider’s existing commitments?

No impact. The project consists of routine maintenance activities including vegetation and debris removal from the creek and other water features, which would not involve wastewater treatment or facilities.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than significant impact. Although the project would generate some solid waste as a result of silt, gravel, and sediment removal, quantities are not anticipated to be in excess of State or local standards, or in excess of the capacity of local infrastructure and would occur for a short duration of time. Because project activities would not significantly increase solid waste disposal in excess and would occur for a short duration of time, the impact is less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No impact. The project consists of routine maintenance activities and would comply with federal, state, and local statutes and regulations related to solid waste.
3.20 WILDFIRE

XX. Wildfire.

Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

- Yes
- No

- Yes
- No

- Yes
- No

- Yes
- No


3.20.1 Environmental Setting

The project sites, including the City, are located within the local responsibility area that is a non-very high fire hazard severity zone. The lands surrounding the City are within the local responsibility area in a moderate fire hazard severity zone. Lands located southwest of the City along Jackson River and lands south of the City along Middle Bar Road are within the state responsibility area and are classified as high fire hazard severity zones. No portions of the project sites are located in or near lands classified as high fire hazard severity zones (CAL FIRE 2008).

3.20.2 Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No impact. Amador County maintains a Multi-Hazard Mitigation Plan and is currently revising the Emergency Operations Plan (EOP). The routine maintenance activities include vegetation and debris removal from the creeks and in immediate vicinity of the creek and other water features for a short duration of time. No roadway closures are anticipated during the routine maintenance activities.
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

**No impact.** The routine maintenance sites are located within the creek and in immediate vicinity of the creek and would not result in any alterations to slope, wind, or other factors. The project would consist of vegetation thinning and removal that would provide benefit in reducing fire fuels. Therefore, wildfire risk would not be exacerbated and would not expose project occupants to the uncontrolled spread of a wildfire.

c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

**No impact.** The routine maintenance activities consist of vegetation and debris removal and would not require the installation of any infrastructure or utilities that may exacerbate fire risk. Because the project is short in duration and would not require any infrastructure or utility installation there is no impact.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**No impact.** The project would not result in an increase in population, nor would the project include the construction of residential or commercial structures. The routine maintenance activities are being performed to remove excessive vegetation and debris from the creek and drainage channels to increase channel capacity and reduce the risk of flooding. The project would not result in a substantial change in runoff or post-fire slope instability that would expose people or structures to significant risks.
3.21 MANDATORY FINDINGS OF SIGNIFICANCE

XX. Mandatory Findings of Significance.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

☐ ☒ ☐ ☐

b) Does the project have impacts that are individually limited, but cumulatively considerable?

("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

☐ ☐ ☒ ☐

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☐ ☒

3.21.1 Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Less than significant with mitigation incorporated. The impact of routine maintenance activities would not substantially degrade the quality of the environment nor result in reducing the habitat or population of fish and wildlife species to drop below the self-sustaining levels nor substantially impact important examples of the major historical and cultural resources. While some routine maintenance activities could potentially result in removal of sensitive resources for the purposes of ensuring the structural integrity and capacity of channels to prevent loss of life and property, these impacts would be mitigated through implementation of mitigation measures 3.3-1, 3.4-1 through 3.4-7, 3.5-1, 3.5-2, and 3.7-1 as identified in Sections 3.3, "Air Quality," 3.4, "Biological Resources," 3.5, "Cultural Resources," and 3.7, "Geology and Soils."
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less than significant impact. The routine maintenance activities do not contribute to potential cumulative impacts as the activities are to maintain existing creek channels to ensure structural integrity and design capacity for flood flow purposes. Implementation of mitigation measures 3.3-1, 3.4-1 through 3.4-7, 3.5-1, 3.5-2, and 3.7-1 would offset environmental impacts through avoidance and protection of natural and cultural resources, best management practices to avoid significant air pollutant emissions, restoration of habitat conditions, and water quality control measures.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

No impact. The routine maintenance activities would not have any environmental effects which would cause direct or indirect substantial adverse effects on human beings as one of the beneficial factors of maintaining channels is to ensure structural integrity and design capacity for flood flow purposes to prevent loss of property and human beings. Therefore, there would be no impact.
4 REFERENCES

1 Introduction
No references cited in this chapter.

2 Project Description

3 Environmental Checklist
No references cited in this chapter.

3.1 Aesthetics
No references cited in this section.

3.2 Agriculture and Forest Resources

3.3 Air Quality

3.4 Biological Resources


CNDDB. See California Natural Diversity Database.

CNPS. See California Native Plant Society.

3.5 Cultural Resources
No references cited in this section.

3.6 Energy


3.7 Geology and Soils
No references cited in this section.

3.8 Greenhouse Gas Emissions
No references cited in this section.

3.9 Hazards and Hazardous Materials

3.10 Hydrology and Water Quality
No references cited in this section.

3.11 Land Use and Planning
No references cited in this section.

3.12 Mineral Resources

3.13 Noise
No references cited in this section.

3.14 Population and Housing
No references cited in this section.

3.15 Public Services
No references cited in this section.

3.16 Recreation
No references cited in this section.

3.17 Transportation
No references cited in this section.

3.18 Tribal Cultural Resources
No references cited in this section.

3.19 Utilities and Service Systems
No references cited in this section.

3.20 Wildfire
5 REPORT PREPARERS

Susan Peters, City Planner, City of Jackson
Patrick Angell, Principal-in-Charge, Ascent Environmental
Haley Rundle, Environmental Planner, Ascent Environmental
Allison Fuller, Biologist, Ascent Environmental
August 18, 2020

Susan Peters, City Planner
City of Jackson
33 Broadway
Jackson, CA 95642

Dear Ms. Peters:

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Notice of Intent to adopt a Mitigated Negative Declaration (IS/MND) for the City of Jackson Annual Jackson Creek Cleaning. The annual cleaning of the Jackson Creek and the tributaries will consist of removing excess vegetation, debris and some silt to reduce potential flooding over a 12-year period. The cleanup work will be limited to the driest time within the creek channels, typically during the fall months for no more than eight weeks. The annual cleanup is in areas along State Route (SR) 49 and SR 88 in the City of Jackson in Amador County.

Caltrans has the following comments regarding the IS/MND:

If any project activities encroach into Caltrans Right of Way including traffic control measures an Encroachment Permit will need to be submitted. In addition, if work does occur within Caltrans Right of Way, there are large mature trees along SR 49 and SR 88. These trees may provide habitat for nesting birds. If removal of these trees will occur during migratory bird season (February 15 – September 1), a pre-construction bird survey will be required. If an active bird nest is observed, a protective buffer will be established to protect the nest until the young have fledged. The size of protective buffers will be determined in coordination with California Department of Fish and Wildlife or using applicable species-specific survey and monitoring protocol guidelines.

If an Encroachment Permit is required, appropriate environmental studies must be submitted with the application. These studies will include an analysis of potential...
impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans Right of Way at the project site. Please include California Environmental Quality Act (CEQA) documentation with supporting technical studies when submitting the Encroachment Permit. For more information please visit the Caltrans Website at; https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any question or would like to discuss these comments, please contact Michael Casasat (209) 986-9830 (email: michael.casas@dot.ca.gov) or me at (209) 986-9635 (email: kevin.schroder@dot.ca.gov).

Sincerely,

Kevin Schroder

Kevin Schroder, Acting Branch Office Chief
Office of Rural Planning

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
City of Jackson
Council Meeting Memorandum

Monday August 24, 2020 Regular Meeting

To: Honorable Mayor and Members of the City Council

From: Dalacie Blankenship, Accounting Manager

Date: August 24, 2020

Agenda: Payroll processing software change update

RECOMMENDATION: that the City Council Receive the update.

DISCUSSION:

Background:

Since late 2019, the City Manager and I have been looking into options of payroll processing software in light of some payroll related issues. Council also directed us to proceed with this effort.

We discovered two major companies that could potentially meet our needs: Paychex and ADP. We had extensive discussions with both of them, including demonstrations with their subcontractors. Our research revealed that ADP will not be able to handle some of the routine payroll processes directly. For example, ADP does not have the capability to handle 24-hour shift pays, nor does it handle CalPERS reporting. ADP would have to use separate vendors to process those needs. On the other hand, it appears that Paychex can handle them and is a “one-stop” shop at this point.

Progress:

We had planned to begin a trial implementation in April 2020. But the COVID emergency delayed the time table and then personnel changes at Paychex company furthered the delay. We reconnected with Paychex in July. I have begun preparation for the transition.

I have been working with Paychex on the “time-management” component, which will be a new experience for our employees in that all time card activities will be computerized and digital after implementation. I also plan to start with the police and fire departments first. While
making the time keeping module work, I will be working with Paychex to build a payroll module. To prepare for that process, I am working on payroll, deduction, benefits and tax codes.

Once both the time keeping module and the payroll module are in place, we can move forward with a mock payroll. Then we will need to work out the kinks for the mock payroll. At last, I plan for the first real payroll with Paychex module to begin in November (after the annual audit tasks).

Challenges:

As anyone who has been through a payroll process change can image, the preparation for transition has been time-consuming and complex, especially when the City has been using the same process for 20+ years. For example, I need to send Paychex the pay code information we currently use (no confidential information yet). I discovered that out of the 57 pay codes the current system uses, some of them are obsolete and a couple newer ones were not listed. I ended up updating those codes before sending them out. I anticipate I will have the same issues when I work on the Deduction, Benefit, and Tax codes. Then Paychex has enough information to build a module specific for the city. and once employees’ information is in, we can process payroll.

As the implementation progresses, I anticipate we will discover more issues that we have to figure out for a full and complete implementation. Some of the payroll expectations may have to be adjusted in order to accommodate the new process. Our implementation coordinator at Paychex seems confident in their ability to accommodate the City’s needs. I will remain optimistic and implement this change to the best of my abilities.
City of Jackson  
Council Meeting Memorandum  
Monday, August 24, 2020 Regular Meeting

To:          Honorable Mayor and Members of the City Council
From:  Yvonne Kimball, City Manager
Date:  August 24, 2020

Agenda Item#6c: Accepting a Water Pipeline Easement Deed from APN. 020-171-014 and Authorization of Related Settlement Agreement

RECOMMENDATION:

That the City Council accept the easement deed from the Garrett Survivors Trust and authorize the City Manager to execute related settlement agreement

DISCUSSION:

The City has been in negotiation with the property owner for a property located on N. Main St. (APN 020-171-014) to address a waterline easement issue. Recently a settlement agreement has been reached that for a small amount of money, the owner agreed to grant a formal easement to the city for the proposed waterline project. See attached settlement agreement.

The easement will allow the city to relocate and improve the waterline that currently serves the county library, the swimming pool, the park and the shopping center along SR 49.

It is recommended that Council authorize the City Manager to enter into the settlement agreement and approve the Resolution to accept the easement.

Once this process is complete, the City will be able to formally proceed with the design and construction of the waterline project. Amador County library is also a partner of this project (to allow the new waterline to be attached to the library building). This project is earmarked as a FY 20/21 Capital Improvement project for the water fund.

Attachments:
Resolution and the Easement Deed Document  
Settlement Agreement
Resolution No. 2020-33

A Resolution of the City Council of the City of Jackson Accepting an Easement for Non-exclusive Water Pipeline Easement

WHEREAS, the City of Jackson, wishes to replace the waterline serving the library in the City of Jackson, California, and

WHEREAS, an easement is required to complete the replacement of the waterline,

WHEREAS, a Grant of Easement for a Non-Exclusive Water Pipeline Easement has been made to the City and must be formally accepted by the City Council when in the best interest of the City, and

WHEREAS, the best interest of the City is achieved with the acceptance of an easement deed from:

GARRETT SURVIVORS TRUST, A.P.N. 020-171-014

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Jackson does hereby accepts said easement deed (Exhibit I) for construction and maintenance associated with the library waterline replacement, and

BE IT FURTHER RESOLVED the City Clerk is hereby authorized to certify to said City Council acceptance thereof and record said deed in a timely manner.

The foregoing resolution was duly passed and adopted by the City Council of the City of Jackson at a regular meeting on the 24th day of August, 2020, by the following vote:

AYES: ____________________________
NOES: ____________________________
ABSENT: __________________________
ABSTAIN: __________________________

CITY OF JACKSON

______________________________
Robert Stimpson, Mayor

ATTEST:

______________________________
John Georgette, City Clerk
Exhibit I: Easement for Water Pipeline
CITY OF JACKSON
CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Easement for a Non-Exclusive Water Pipeline Easement to which this Certificate of Acceptance is attached,

From: Garrett Survivors Trust (“Grantor”)

To: The City of Jackson, a California Municipal Corporation (“Grantee”)

was accepted by City Council Resolution No. 2020-33 on __________ and the City Clerk was authorized there in to execute this Certificate of Acceptance and record said Deed in a timely manner.

Dated: ________________

CITY OF JACKSON, a California Municipal Corporation

By: _______________________

John Georgette, City Clerk
CITY OF JACKSON
OFFICE OF THE CITY CLERK
RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Jackson
33 Broadway
Jackson, CA 95642

Space above for Recorder’s use only

A.P.N.: 020-171-014

GRANT OF EASEMENT FOR A NON-EXCLUSIVE
WATER PIPELINE EASEMENT

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX $ -0-
[ ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value less value of liens and/or encumbrances at time of sale,
[ ] unincorporated area; [ X ] City of Jackson; and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, in the amount of $3,400 (THREE THOUSAND FOUR HUNDRED DOLLARS),

GARRETT SURVIVORS TRUST, (Grantor)

hereby GRANTS to: CITY OF JACKSON (City), a California Municipal Corporation

A perpetual, non-exclusive 15’ wide water main pipeline easement over that certain property located in the City of Jackson, County of Amador, State of California, the centerline of which is more particularly described on EXHIBIT 'A' – LEGAL DESCRIPTION and as depicted on EXHIBIT 'B' – DEPICTION OF EASEMENT, all attached hereto and incorporated herein (the “Easement”), for the purposes of installing, constructing, reconstructing, repairing, operating, and forever maintaining thereon a water main pipeline and appurtenances (“Water Main”), together with the perpetual right and privilege of flowing water in and through the Water Main in such amounts and at such times as City shall deem necessary, and the right of ingress to and egress from Easement for the purpose of exercising and performing all of the rights and privileges herein granted. City shall cap, abandon in place, and otherwise cease the use of the existing water main pipeline currently located in the middle of that certain real property located in the City of Jackson subject to the Easement.

As a condition of this grant of Easement and right of way, Grantor reserves the right to use such land for purposes that will not interfere with City’s full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building, wall, fence, or other permanent structure, or drill or operate any well, or construct other obstruction on the Easement, or diminish or substantially add to the ground cover lying over the Easement and right of way granted herein.
Damage to the Easement as a result of any negligent or willful misconduct by City related to the Water Main or other activity pursuant to this Easement shall be the financial responsibility of City. City shall return the property on which the Easement is located to its original condition in a reasonable amount of time as agreed by City and the Grantor, upon completion of any work within the Easement. The provisions of this Easement shall run with the land and inure to the benefit of and bind the heirs, successors, and assigns of Grantor and City.

GRANTOR: Garrett Survivors Trust

By: ___________________________ Date: 7/27/20

Title: TIMOTHY SAUER, AGENT
        FOR PEARL P. GARRETT, TRUSTEE.
EXHIBIT A
LEGAL DESCRIPTION

APN 020-171-014
Jackson, California

A 15 foot wide easement, 7.5 feet on each side of the centerline thereof, over a portion of Parcel Two of Parcel Map 1269 for Evelyn Garbarini recorded in Book 23 of Maps and Plats at page 59 of Amador County Records, the centerline of said easement beginning at a point on the westerly line of said parcel that bears N01°21'48"W, 7.56 feet from the southwest corner of Parcel Two of said Parcel Map 1269; thence departing said south line N81°40'19"E 100.20 feet more or less; thence N22°46'40"E, 30.02 feet, thence N79°53'13"E, 29.02 feet to a point on the east line of said Parcel Two that bears N07°44'48"W, 7.51 feet from the southeast corner of said Parcel Two, all as set forth on Exhibit B attached hereto and made a part hereof.

End Description
EXHIBIT B
DEPICTION OF EASEMENT

GARRETT
PARCEL TWO, 23 M 59
APN 020-171-014
0.65 AC

N07'44'48"W 7.51'
N79'53'13"E 29.02'
N22'46'40"E 30.02'

COUNTY OF AMADOR
APN 020-070-041

POINT OF BEGINNING

15' WIDE WATERLINE EASEMENT (2388 SF)
N81'40'19"E 100.20'

CENTERLINE OF EASEMENT

GALINDO
PARCEL ONE, P.M. 1269
APN 020-171-013

LEGEND
• DENOTES FOUND 5/8" IRON PIN TAGGED LS 3536 PER PARCEL MAP 1269, AMADOR COUNTY RECORDS.
• DENOTES FOUND 5/8" IRON PIN, NO TAG.
○ DENOTES DIMENSION POINT.
SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into by and between the City of Jackson ("City") and Pearl P Garrett as Trustee of the Garrett Survivors Trust ("Owner"). City and Owner may be referred to collectively as "Parties" and individually as "Party."

RECITALS

A. Owner owns the property located within the City of Jackson and identified as APN 020-171-014 ("Property").

B. The City currently has a waterline on the Property ("Existing Waterline"). The City is willing to relocate the Existing Waterline to a different location on the Property in exchange for the Owner's granting an easement to do so and the release of all claims related to the Existing Waterline.

C. City and Owners wish to settle their dispute over the Existing Waterline on the terms and conditions set forth in this Agreement.

AGREEMENT

1. Recitals. The Parties incorporate the above Recitals, and acknowledge that they are true and correct.

2. Settlement. In consideration of this Agreement and the promises set forth herein, the Parties agree to do the following:

   A. Execute the Easement for Water Pipeline ("Easement") as set forth in Attachment 1 and incorporated by this reference. The City shall further pay all sums to Owner identified in the Easement.

   B. The City shall abandon in place the Existing Waterline on the Property in accordance with its standard procedures and practices.

3. Release. Owner, for himself, his predecessors, heirs, successors in interest, assigns, and all others who may take any interest in the matters herein released, fully and forever release, acquit and discharge the City, together with any and all past and present employees, agents, officials, officers, directors, managers, attorneys, assigns, and agents from any and all claims, demands, rights, causes of action, damages, losses, attorneys' fees and expenses, and costs of every kind and nature whatsoever, known or unknown, fixed or contingent, which they may now have or may hereinafter have, which arise from and/or relate to the Existing Waterline or the City's use of the Property prior to execution of this Agreement.

4. Waiver. It is the intention of the Parties that the release entered into as part of this Agreement shall be effective as a bar to all actions, causes of action, obligations, costs, expenses,
attorney's fees, damages, losses, claims, liabilities and demands of any character, nature and kind, known or unknown, suspected or unsuspected, to be so barred; in furtherance of which intention the Parties expressly waive any and all right and benefit conferred upon them by the provisions of Section 1542 of the California Civil Code, which reads as follows:

"A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party."

5. **Successors and Assigns.** This Agreement and its terms shall inure to the benefit of and be binding upon each of the Parties hereto and each and all of their respective predecessors, successors, assignees, buyers, grantees, vendees or transferees and their past or present respective representatives, trustees, beneficiaries, agents or employees and each of them as though they were parties hereto.

6. **Attorneys' Fees.** The prevailing party in any action brought to enforce the terms hereof shall recover all costs and expenses incurred in such action, including reasonable attorneys' fees.

7. **Governing Law and Venue.** This Agreement is made and entered into under the laws of the State of California and shall be interpreted, governed and enforced under and pursuant to such laws. The Parties further expressly agree that the Amador County Superior Court shall have continuing jurisdiction to enforce the terms of this Agreement, and that no action to interpret or enforce this Agreement shall be brought in any other venue.

8. **Construction.** This Agreement has been jointly negotiated and drafted. The language of this Agreement shall be construed as a whole according to its fair meaning, and not strictly for or against any of the Parties.

9. **Authority to Enter.** The Parties warrant that no other person had or has, or claims any interest in the subject of this Agreement; that they have the sole right and exclusive authority to execute this Agreement, and that they have not sold, assigned, transferred, conveyed, or otherwise disposed of any claim, demand, cause of action, obligation, damage or liability covered hereby.

10. **Severability.** Should any provision of this Agreement be held invalid or illegal, such illegality shall not invalidate the remainder of this Agreement. In that event, this Agreement shall be construed as if it did not contain the invalid or illegal part, and the rights and obligations of the Parties shall be construed and enforced accordingly.

11. **Integration and Amendment.** This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements, either written or oral, express or implied. Any modifications to this Agreement must be in the form of a written amendment signed by the Parties or their successors in interest.
12. **Waiver of Breach.** The failure of the Parties to insist on strict performance of any of the terms, conditions, or covenants in this Agreement shall not be deemed a waiver of any right or remedy for a subsequent breach or default of the terms, conditions, or covenants herein contained.

13. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one in the same Agreement and a facsimile signature is to be deemed as an original.

14. **Effective Date.** This Agreement shall be effective as of the date of its complete execution by the last signing party.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed as of the date and year set forth below. Each Party acknowledges they have read all of this Agreement and fully understand all of the same.

**OWNER**

DATED: \[7/27/20\]

By: [Signature]

TIMOTHY SALTER, AGENT OF PEARL P.

CITY OF JACKSON

DATED: ____________________________

By: Yvonne Kimball, City Manager
ALL-PURPOSE ACKNOWLEDGMENT

State of Nevada
County of Washoe

On 07/27/2020 before me, Jeannie Leigh Aharonian Notary Public

personally appeared Timothy Salser

NAME(S) OF SIGNER(S)

☐ personally known to me OR ☑ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that (he/she/they executed the same in (his/her/their authorized capacity(ies), an that by (his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal or Stamp Here

Jeannie Leigh Aharonian
SIGNATURE OF NOTARY

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it may prove valuable to persons relying on this Acknowledgment and could prevent fraudulent reattachment of this certificate to another document.

DESCRIPTION OF ATTACHED DOCUMENT

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

Settlement Agreement

TITLE OR TYPE OF DOCUMENT

8
NUMBER OF PAGES

07/27/2020
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE
City of Jackson
Council Meeting Memorandum

To: Honorable Mayor and Members of the City Council

From: City Manager, Yvonne Kimball

Date: August 24, 2020

Agenda Item #6d: A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-CORONAVIRUS RESPONSE ROUND 1(CDBG-CV1) NOFA DATED JUNE 5, 2020; APPROVAL OF THE STATEMENT OF ASSURANCES; APPROVE THE SUBMITTAL OF THE APPLICATION.

RECOMMENDATION:

It is recommended as follows:

1) Approve Resolution No. 2020-34
2) Approve Statement of Assurances
3) Direct staff to submit the completed application per the requirements

BACKGROUND:

On March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act in response to the impacts of the COVID-19 pandemic. The California State Department of Housing and Community Development (HCD) published a Notice of Funding Availability (NOFA) for Community Development Block Grant Coronavirus Aid, Relief, and Economic Security (CDBG-CV1) funds on June 5, 2020 for $18.7 million in funds. Eligible cities and counties may submit applications for CDBG-CV1 funds under the NOFA for the allocation of $112,462 to our community. A maximum of three (3) activities will be allowed under this application cycle. Each activity must expend all funds within 12 months of the contract execution.

The CDBG-CV1 Notice of Funding Availability (NOFA) provides funding ONLY for the following Activities, which are narrowly tailored as described in Section II.A and Section II.B of the Notice of Funding Availability (NOFA):
• Assistance to businesses and microenterprises impacted by COVID-19 stay-at-home orders and shut-downs
• Public services related to COVID-19 support
• Facility improvements related to COVID-19 healthcare and homeless housing needs
• Acquisition of real property to be used for the treatment or recovery of infectious diseases in response to COVID-19

All activities are required to meet a National Objective as outlined under Section IV. of the attached NOFA.

The City held a Public Hearing on July 13, 2020, opened the Public Hearing, received the following comments:
• Jamie Armstrong, Amador Chamber CEO, suggested that the city consider giving the money to the businesses indirectly, such as a gift card program. She saw similar programs run by other cities in the nation.
• Debby Collins, Jackson resident, said that she still had gift cards from Lukas Restaurant and Stanley’s Steakhouse (but those establishments had closed or out of business). Ms. Collins also asked whether the civic center (after being improved) will be open to anyone or only homeless folks and she indicated that the facility should be open to everyone.

Upon public hearing, Council directed staff to prepare an application for the following activities:

1. Public Facilities to support Health Care – Roof Repair

DISCUSSION:
Staff is developing the required program design and application support to be submitted to the State not later than August 31, 2020 for the outlined program. The City is required to take action to approve the attached Resolution and Statement of Assurances for the application completion.

ALTERNATIVES:
The following alternatives are provided for consideration:
1. Direct staff to solicit additional public input;
2. Direct staff to not prepare or submit an application for funding; or
3. Provide other direction to staff.

ATTACHMENTS:
Resolution No. 2020-34
Statement of Assurances
Draft application
Resolution No. 2020-34

A Resolution Approving an Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto from the 2020 Community Development Block Grant Program- Coronavirus Response Round 1 (CDBG-CV1) NOFA Dated June 5, 2020

BE IT RESOLVED by the City Council of the City of Jackson as follows:

SECTION 1:
The City Council has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of $73,191 for the following CDBG-CV1 activities, pursuant to the June 2020 CDBG-CV1 NOFA:

List activities and amounts

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Public Facility Improvements</td>
<td>$73,191</td>
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SECTION 2:
The City acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

SECTION 3:
The City hereby authorizes and directs the City Manager to execute and deliver all applications and act on the City’s behalf in all matters pertaining to all such applications.

SECTION 4:
If an application is approved, the City Manager is authorized to enter into, execute and deliver the grant agreement (i.e., Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

SECTION 5:
If an application is approved, the City Manager, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

Section 6:
If an application is approved and the project exceeds the grant amount, the city is committed to
use city local funds to pay for the remainder of the project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Jackson held on August 24, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF JACKSON

__________________________
Robert Stimpson, Mayor

STATE OF CALIFORNIA
City of Jackson

I,__________________________, City Clerk of the City of Jackson, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this 24th day of August, 2020.

______________________________
John Georgette, City Clerk
City of Jackson
State of California
Appendix J: CDBG-CV1 Application Certifications and Statement of Assurances

Complete and fully execute the attached CDBG-CV Application Certifications and Statement of Assurances. The executed statement must be uploaded as a threshold document in the application. The document may not be modified.
CDBG-CV1 Application Certifications and Statement of Assurances

The **City of Jackson** hereby certifies the following:

1. **Legal Authority:**

   It possesses the legal authority to apply for and execute the proposed activity(s) in the application.

2. **Application Authorization:**

   Its governing body has duly adopted or passes as an official act or resolution, motion, or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant’s chief executive officer or other designee to act in connection with the application and to provide such additional information as may be required.

3. **Citizen Participation:**

   It has or will comply with all citizen participation requirements, which include, at a minimum, the following components:

   A. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used, and provides for participation of residents in low- and moderate-income neighborhoods as defined by the local jurisdiction – and

   B. Provides citizens with reasonable ADA compliant and timely access to local meetings, information, and records relating to the grantee’s proposed use of funds, as required by CDBG regulations, and relating to the actual use of funds under this title – and

   C. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee – and
D. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program. These include at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped. This shall include one public meeting during the program design, annual performance report preparation, and formal amendments. A public hearing shall be conducted prior to application submittal – and

E. Solicits and provides for a timely written answer to written complaints and grievances, within 15 working days where practicable – and

F. Identifies needs of limited-English speaking residents will be met in the case of public hearings where limited-English speaking residents can reasonably be expected to participate.

4. National Objective:

It has developed its CDBG Program so as to primarily benefit targeted income person and households and each activity in the program meets one of the three national objectives: benefit to low-and moderate-income persons, elimination of slums and blight, or meets an urgent community need (with prior Department approval) certified by the grantee as such.

5. NEPA Environmental Review:

It consents to assume, and hereby assumes the responsibilities for environmental review and decision-making in order to ensure timely compliance with NEPA by following the procedures for recipients of block grant funds as set forth in 24 CFR Part 58, titled "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities." Also included in this requirement is compliance with Executive Order 11988 relating to the evaluation of flood hazards, Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) regarding purchase of flood insurance, and the National Historic Preservation Act of 1966 (16 USC 470) and implementing regulations (36 CFR §800.8).

6. Audit/Performance Findings:

. It certifies that the State Controller's Office (SCO) was in receipt of its complete Singe Audit Package by the NOFA application due date, or certifies that is exempt from the Single Audit requirements set forth in 2 CFR Part 200.

7. Growth Control:
It certifies that there is no plan, ordinance, or other measure in effect which directly limits, by number, the building permits that may be issued for residential construction or the buildable lots which may be developed for residential purposes; or if such a plan, ordinance, or measure is in effect, it will either be rescinded before receiving funds, or it need not be rescinded because it:

A. Imposes a moratorium on residential construction, to protect health and safety, for a specified period of time which will end when health and safety is no longer jeopardized; or

B. Creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or

C. Was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or

D. The applicant has an adopted housing element which the Department has found to be in compliance, unless a final order has been used by a court in which the court determined that it is not in compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code, commencing with section 65580.

8. Uniform Administrative Requirements:

It will comply with the regulations, policies, guidelines and requirements of 2 CFR Part 200 and 24 CFR Part 85 and the CDBG Program Guidelines.

9. Nondiscrimination:

It shall comply with the following regarding nondiscrimination laws and practices as may be amended from time to time:

A. Title VI of the Civil Rights Act of 1964 (Public Law 88-352).

B. Title VIII of the Civil Rights Act of 1968 (Public Law 90-284) as amended; and will administer all programs and activities related to housing and community development in a manner affirmatively furthering fair housing.

C. Section 109 of the Housing and Community Development Act of 1974, as amended.

D. Section 3 of the Housing and Urban Development Act of 1968, as amended.

E. Executive Order 11246, as amended by Executive Orders 11375 and 12086.
F. Executive Order 11063, as amended by Executive Order 12259.

G. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, and implementing regulations.


10. Anti-Displacement/Relocation:

It will comply with the Federal Relocation Act (42 U.S.C. 4601 et seq.).

11. Labor Standards:

It will comply with the following regarding labor standards as may be amended from time to time:

A. Section 110 of the Housing and Community Development Act of 1974, as amended.

B. Section 1720, et seq. of the California Labor Code regarding public works labor standards.

C. Davis-Bacon and Related Acts as amended (40 U.S.C. §276(a)) regarding the payment of prevailing wage rates.


12. Architectural Barriers:


13. Conflict of Interest:

It will enforce standards for conflicts of interest which govern the performance of their officers, employees, or agents engaged in the award and administration, in whole or in part, of State CDBG grant funds (24 CFR §570.611).

14. Limitations on Political Activities:

It will comply with the Hatch Act (5 U.S.C. §1501, et seq.) regarding political activity of employees.
15. Lead-Based Paint:

It will comply with the Lead-Based Paint Regulations (24 CFR Part 35), which prohibit the use of lead-based paint on projects funded by the program.

16. Debarred Contractors:

It certifies that neither the applicant or its staff are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal assistance programs, in any proposal submitted in connection with the CDBG program, per the Excluded Party List System located at https://www.sam.gov/SAM/. In addition, the applicant will not award contracts to or otherwise engage the services of any contractor while that contractor (or its principals) is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation from the covered transaction, in any proposal submitted in connection with the CDBG program under the provisions of 24 CFR Part 24.

17. Inspection of Grant Activities:

It will give HUD, the Comptroller General, the State Department of Housing and Community Development, or any of their authorized representatives access to and the right to examine all records, books, papers, or documents related to the grant.

18. Cost Recovery:

It will not attempt to recover any capital costs of public improvements assisted in whole or part with CDBG funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

A. CDBG funds received are used to pay the proportion of such fee or assessment that relates to the capital costs of public improvements that are financed from revenue sources other than CDBG funds; or

B. For purposes of assisting any amount against properties owned and occupied by persons of low- and moderate-income who are not persons of very low income, that it lacks sufficient funds received from CDBG Program to comply with the requirements of this clause.

19. Procurement:

It will follow the federal procurement policies per 24 CFR §200.317 et seq.
20. Excessive Force:

It will adopt and enforce policies:

A. Prohibiting the use of excessive force by its law enforcement agencies against individuals engaged in non-violent civil rights demonstrations; and

B. Enforcing applicable State and local law against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

21. Anti-Lobbying:

A. It certifies and agrees that no federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer of employee of any agency, a Member of Congress in connection with the federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

22. Compliance with Laws:

The jurisdiction will comply with all applicable laws, rules, and regulations governing the activities being applied for herein.

I hereby certify under penalty of perjury that all information contained in this Statement of Assurances (including all supporting documentation) is true and correct. I understand and acknowledge that making false statements on this certification, including any documents submitted in support of it, is a crime under federal and California state laws, which may result in criminal prosecution and fines.

Yvonne Kimball
Printed Name of Authorized Representative (per the Resolution)

________________________   __________________________
Signature       City Manager

________________________   __________________________
Title       Date

Department of Housing and Community Development
CDBG-CV NOFA
Revised 6/3/2020
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ACTIVITY DESCRIPTION:

Detailed description of the activity, why it is needed, who will benefit, activity location, how will the activity be implemented, and when it will be complete.

The City of Jackson is proposing to use the CDBG-CV1 funding to repair the roof in their community center, located at 33 Broadway, to allow a walk-in health screening service and to provide COVID PPEs to all community members including underserved residents. The services or PPEs will be provided in the building weekly alternatively on Tuesdays from 12 pm to 2 pm and on Friday evenings from 5 pm to 7 pm. The scope of the services is as follows:

1. health screening by paramedics/ firefighters to everyone, including homeless population who often needs walk-in services.
2. provide free PPE packages to everyone, including homeless population who often needs walk-in services.

The service will be provided by city staff and volunteers. All COVID protocols will be followed when providing services, including social distancing, limited number of people in building at a time, sanitizing surfaces, masking, etc.

The repairs are required as the roof leaks and is not stable for full time occupancy. With the upcoming rain and snow season it is critical the correction is made to allow the program to be provided space. The community center location is a critical point of operation as it is centrally located, provides ADA access, and ensures access equality that would allow folks that do not have automobiles to walk up and access COVID services.

Beneficiaries will be tracked by city staff and volunteers. Jackson Fire Chief will be the person in charge. This information will be collected and tracked by the City to ensure compliance with CDBG.
The activity will be completed by obtaining quotes from General Contractors and beginning construction immediately upon award of the contract from CDBG. The project will be completed within 90 days of clearance from CDBG to begin expending funds. The City is ready to begin the project.

**SCOPE OF WORK**

<table>
<thead>
<tr>
<th>Task 1: Receive state contract and process general condition clearance</th>
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<tbody>
<tr>
<td>Task 2:</td>
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<td>Task 3:</td>
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<td>Task 4:</td>
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<td>Task 5:</td>
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<td>Task 6:</td>
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<tr>
<td>Task 7: Submit Pay Requests to City for payment</td>
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<tr>
<td>Task 8: Maintain files</td>
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<tr>
<td>Task 9: Perform financial records in accordance with 2 CFR part 200</td>
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DELIVERABLE NARRATIVE

<table>
<thead>
<tr>
<th>Task 1: Receive state contract and process general condition clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Process contract execution in eCivis Portal</td>
</tr>
<tr>
<td>1.2 Submit the required document to clear General Conditions for the contract and begin service</td>
</tr>
<tr>
<td>1.3 Provide Public Information Binder at the front counter required by regulation</td>
</tr>
<tr>
<td>1.4 Set up grant project administration files for the ongoing program</td>
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</tbody>
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Task 7: Submit Pay Requests to City for Payment

7.1 Set-up fiscal accounts and implement financial requirements

7.2 Receive and processes documentation for payments

7.3 Upon receipt of payment requests for bills covered under the program, the City will submit at a minimum monthly, payments to the provider on behalf of the applicant. Once again, no payment will be made if the required documents are not obtained and no payments will be made directly to the applicant.

Task 8: Maintain files

8.1 Program files will include a checklist for all items to be included, information will be collected and organized throughout the program cycle and inserted into the proper section of the file. At the end of the program the files will be audited to ensure that all documents are included, signed off, and in the correct section of the file. An accounting will be maintained in the file with all required back up documentation including a copy of the issued warrant to each vendor.

Task 9: Maintenance of financial records in accordance with 2 CFR part 200

All funds are expended through the City and all back up for each expenditure will be maintained in the finance office and the applicant file. The City will additionally maintain timecards for city employees charging to the grant and consultant invoices outlining all hours charged to the program. A financial system will be established that will track all expenditures and receipts based on the Federal Award received and no co-mingle other funds. Records will be maintained for the
duration of the program and the required 3 years after the grant contract close-out provided by HCD. A budget has been provided with this application and will be managed per this approval. No assets will be created during the term of this contract. The program accounting will provide in accordance to 2 CFR Part 200.302

STATEMENT OF NEED

The Statement of Need presents facts and evidence to support the need for your activity. An effective need statement will describe the target populations to be served, define the community problem to be addressed, is related to the purposes and goals of your organization, includes quantitative and qualitative documentation and supporting information, does not make any unsupported assumptions, and describes the situation in terms that are factual. An effective Statement of Needs will describe the relationship between the needs and COVID-19 impacts in your communities.
The City of Jackson has a permeant population of 5,342 based on the 2010 census. Median household income was $42,344, 80% below the state median household income. Jackson is the seat of Amador County. A variety of essential services are located here, including a hospital, the county jail, shelters, veterans’ housing. Jackson is also home to a number of grocery stores and shopping centers. Partially due to it being a service center, Jackson has a high number of homeless individuals among cities and unincorporated Amador County areas. The 2019 point-in-time survey conducted by Amador Tuolumne Community Action Agency indicates that there are approximately 214 homeless individuals in Amador County and 96 reside in Jackson. We suspected these numbers are growing since the COVID crisis although we don’t have confirmed data yet. Many of the homeless individuals do not have reliable means of transportation. They can’t benefit from drive-in services. A walk-in facility that provide health screening services and COVID PPE items is needed in the community. Jackson Civic Center is centrally located in the city and the county, next to the police station, city administrative office and the fire/EMS administration office. It is an ideal location for a walk-in facility for COVID related services.
COLLABORATORS AND PARTNERS

Not applicable.

NARRATIVE REGARDING COLLABORATORS AND PARTNERS

City staff, led by the Fire Chief, will be providing the services primarily. However, local fire departments, including Ione, Sutter Creek will be joining us once the roof is fixed and the program begins. The volunteer based “Homeless Taskforce” which consists retired health care professionals, community activists and elected officials will also participate in this program at the civic center.

<table>
<thead>
<tr>
<th>Site Control</th>
<th>Provide Deed of Trust showing the City owns the building</th>
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<tbody>
<tr>
<td>Audit</td>
<td>Send audit</td>
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<tr>
<td>Environmental</td>
<td>Lorie to prepare</td>
</tr>
<tr>
<td>Housing Element</td>
<td>Need letter of submittal</td>
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Budget

You are expected to provide two activity budgets. There is a **CDBG specific budget** that you will complete as part if your application in the eCivis Grants Network. That budget is linked below and must be completed before you submit your application. You ALSO need to complete a **full activity budget**. Your full activity budget should use the sources and uses Excel template included in the Files tab in the Solicitation. You may use your own excel budget, provided it includes all of the sources and uses that will be included in your activity. Include line items for each component of your activity. Identify all funding sources that will be used to fund your activity including other federal and state funding, local funding, foundation or non-profit funding, donations and any other cash resources. Do not include in-kind donations or volunteer time.
This template will also be used to evaluate your duplication of benefits. Indicate in the template where you project increased utilization of your public services if you are proposing a public service activity.

Your complete activity budget narrative should include information about how the activity will be funded and whether or not the activity is viable if other funding sources are not available and the activity is only partially funded. For instance can the project scope be reduced, the number of beneficiaries be reduced, can the project be scaled to the amount of funding available. Make sure the budget narrative has a relationship to the tasks and deliverables described above. The narrative should include information about how the CDBG funding will only be used to support a new activity, a modified existing activity, or a addition of a new type activity.

CDBG Budget outline:

<table>
<thead>
<tr>
<th>TASK</th>
<th>CDBG to Fund</th>
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<tr>
<td><strong>Total</strong></td>
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Provide backup quotes to this budget

Full Activity Budget must be provided from Sub-Recipient and will be made part of the contract.

Duplicative Tracking

The program only received operational funding and not facility improvement funds.