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

PLEDGE OF ALLEGIANCE TO THE FLAG.

Mayor Stimpson led the Pledge of Allegiance.

1. APPROVAL OF AGENDA.

Motion to approve the City Council Agenda dated May 11, 2020 as presented. Moved by Councilmember Sweet, 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

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, shared a social media posting that upset him regarding a case out of Fresno where a Police Officer was thrashed for doing his job. Where here in Jackson, you don’t see anyone taking precautions. He would at least expect the respect of others in crowds to comply with at least a mask. He is very disappointed with people from this area jumping on FB bashing law enforcement, even a city councilmember from Ione. We need to inform our citizens of the City, and County, as to the procedures to expect when we get to Phase 2. What will be expected of the people? His heart goes out to our 1st responders getting blamed for this
and the DA will be dealing with citations. He supports the Council on social media as he feels everyone is doing a great job.

- Mary Pulskamp, Rosebud’s Café, explained her status at the restaurant here in Jackson. For the last 2 months, she’s been operating food on a To-Go basis, laid off 15 employees and seeing the repercussions of losing 90% income. She is asking the City to adjust her $600 monthly Sewer bill by at least 90%.

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.

- Approval of the April 27, 2020 Meeting Minutes.
- Approval of Expenditure Report in the amount of $223,121.43.
- Approval of Payroll Expenditure Report in the amount of $286,763.18.
- Possible acceptance of All Pro Backflow, Inc.’s proposal for the City’s Backflow Testing and Repair for Devices on domestic water and fire services.

Motion to approve the Consent Calendar dated May 11, 2020 as presented. Moved by Council Member Lewis, 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: Sweet, Check#12125 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.

Public Works Superintendent, Max Godde

- Due to lack of manpower, PW has been performing spot weed abatement instead of normal spraying. Only upon a call request, PW will take care of it and cut the weeds.
- PW restored the rock slope in the creek at the Village Glen subdivision.
- PW is keeping up the maintenance at the City pool.
- PW is continuing the sidewalk maintenance program.
- The high school sewer lift station renovation and just took the Scottsville reservoir offline, drained to inspect the interior which is done every 5 years.
• PW has been working with the Adams Ashby group to help with CDBG funds for private sewer line repairs throughout Jackson.

Police Chief, Chris Mynderup

• Compared stats from April 2019 and April 2020; JPD had a 9% increase in total number of incidents, 8% drop in calls for service, 17% increase in Officer Initiated Incidents, 59% increase in Security Tests, 50% drop in total arrests, 50% drop in Traffic Collisions, 57% increase in Domestic Incidents, 400% increase in Coroner’s cases
• JPD participated in the Argonaut High School Drive-by celebration of its top academic seniors. Reserve Officer Mark Harmon donated his time and was able to participate.

Fire Chief, Debbie Mackey

• April Report reflects a decrease in calls vs. last year at this time. People not wanting to go to the hospital, CPR & fatalities are up.
• JFD participated in the Argonaut High School Rally for the top 10 students, a lot of tears and emotions.
• Wednesday night online trainings, doing virtually as it is challenging with the 6 ft. distancing with all the volunteers.
• New volunteer training starting recruiting academy on Saturdays 830a-430p, temperatures are taken and if there are any temperature changes or if a family member has a fever or is sick, they are asked not to attend.
• With fire season coming, we do need to have many people on board as we traditionally lose some people to CalFire, therefore we need to get more people on board to get our staffing numbers up.

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 had nothing to report other than receiving and fielding emails and phone calls from concerned citizens.

Council member Lewis – nothing to report.

Council member Garibaldi – nothing to report.

Vice Mayor Gonsalves – nothing to report other than reporting we have a lot of concerned citizens, as she too is getting calls/emails.

Mayor Stimpson – nothing to report and stated he also is getting a lot of calls.
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.


Mayor Stimpson stated he attended a couple meetings with the task force that was formed with Dr. Rita Kerr, Supervisor Crew, and Mayors from other cities to come up with guidelines that Dr. Kerr has produced. These guidelines will be implemented in the beginning stage of opening. Mayor Stimpson read parts of a press release from Sunday from Dr. Kerr with the guidelines for re-opening.

Mayor Stimpson opened for Council comments and discussed Dr. Kerr’s press release versus the State Attestation that solves 85% of the issues we have out there with a few Stage 3 businesses that remain a problem and will be addressed going forward. VM Gonsalves agrees with Council these businesses have been closed long enough and need to re-open for financial reasons and stated it’s up to the patron. The businesses have guidelines and measures to follow as far as distancing and cleanliness. We can’t tell the businesses they cannot open. Mayor Stimpson added that the only option the businesses have been given is to stay closed and he does not agree with that. Those are the only deaths in our community, our county, are our businesses and does not find it fair. VM Gonsalves responded it is all being monitored and if there is a spike in our community, then we will pull back.

Mayor Stimpson opened for Public Comment.

Supervisor Crew stated the City has hit it on point but also had a point of clarification that the Amador County Board of Supervisors sent a letter to the Governor asking for local control due to the low incidents and no deaths. Several other counties have done the same. In addition, the Governor has not answered the letter but he did come up with this plan and attestation that we could speed up Phase 2. With a phone call with Dr. Kerr over the weekend, we are ready to go. We did not get local control, all we got was the okay by the Governor to do his plan and that is a big difference for point of clarification. Supervisor Crew reiterated VM Gonsalves statement, if there is a flare up, we will go backwards. It’s not go to Phase 2 and see you later. He has faith in our people, our restaurants, Dr. Kerr and everybody.

VM Gonsalves added she also has faith in the business owners as this is their livelihood and they will do what they can to make this work for them. She is more concerned about the patrons that don’t have any concern and that’s where I think we will see the flare up from. It will be up to the business owners to enforce their guidelines and their own establishments.

In the meetings Mayor Stimpson attended last week, the subject was brought up that if we open up that we’ll be attracting people from out of the area. Council and Supervisor Crew stated they’re already here and they’ve been here since this all started hitting our grocery stores, Lowe’s, and Walmart. Mayor
Stimpson said if our shop owners feel uncomfortable and feel at risk of getting sick, they can ask for ID to see if these are local people coming into their shops, this would be an option for them. Signing a guest book was suggested, it could be used for tracing as well.

Mayor Stimpson opened for Public Comment.

Debby Collins, Jackson resident, stated she’s all for things opening up and anyone can sue for any reason at any time, but legally what kind of problems could the City have if somebody gets sick and starts blaming? City Attorney Nelson stated the City has not taken any action on this one way or another, this is a State decision with County involvement and not a City decision. From his perspective, this is a discussion and there’s no additional liability for the City regardless of the how the County moves forward. The only 2 actions the City has taken was to suspend utility shut-offs and the eviction moratorium which was superseded by the Governor and that we declared a local emergency.

Jack Georgette, Jackson resident, questioned the cost of the temperature monitors and why we don’t have them at the restaurants as without these he doesn’t care to patronage any restaurant. He would go to any restaurant in Jackson if they had one, would increase business. Council stated they were not sure of the costs, maybe $50 or so, but would call Dr. Kerr about it.

CM Garibaldi added directly in response to Mary’s statement, he would be supportive of the City looking at the sewer/water bills from the businesses like the restaurants or laundromats where their flat charge is significant when their business fell, but not quite as much as the 90% as Ms. Pulskamp requested. Understands there has been casual discussion amongst the City about a Grant Program similar to what Sutter Creek was doing for a future agenda item. He is much more supportive of something like this that we can tie to the businesses that the City is impacting and recommend we put on a future agenda. He is much more comfortable helping our businesses in terms of reduction of those paying a large fee than a grant program. VM Gonsalves added she would go along with this concept but wants to make sure that the businesses we would be assisting would be doing what they are supposed to be doing and making sure they are following the guidelines before any monies go to them.

CM Kimball stated she understands CM Garibaldi and the question that is for staff to consider to reduce sewer/water fees, her question is that the staff was told that these utility fees are rate supported and would need to go back to the Rate Study. She recalls discussing a grant with the last rate study consultant for people who have financial challenges and the response was to look into the General Fund to support sewer/water. CM Kimball asked City Attorney Nelson if we reduced the rates would there be any allowances or if we needed to use the General Fund. CA Nelson answered that CM Kimball was correct and if Council was interested in exploring a discount program it would have to be funded through General Funds and cannot be funded through Sewer/Water.

VM Gonsalves questioned if we did a Grant Program if it could be funded through the TOT. CA Nelson answered it could and pending the recipients and how it was structured. The TOT historically has been used for certain functions but there are not legal restrictions on those funds if the Council is interested in broadening the use. She is suggesting a Grant Program to offset the water/sewer for the individual business owners and discuss as a committee and bring back to Council.
Mayor Stimpson asked for further Public Comment, after hearing none CA Nelson confirmed there was no motion required, item was for discussion only.


City Manager Kimball introduced the item. She said the state and county both adopted various “stay-at-home-orders” and non-essential businesses are ordered to close. The city has taken an education and voluntary compliance approach to enforce those orders. The city has had no problem of obtaining voluntary compliance until recently when Amador County began to plan reopening through stages. She said City staff is unclear of how far the enforcement actions should go. She outlined three options: misdemeanor criminal citation; city imposes its own “stay-at-home” order; or suspension of business license.

Mayor Stimpson opened the discussion to Council. He said he is not for a separate city order to stop the businesses from opening. CM Lewis said she agreed and said it should be up to the businesses whether they are ready to open. VM Gonsalves said she agreed also except that she received many calls from upset residents about a gym being open. CM Sweet said he received many angry calls also. He also visited the gym that folks were calling him about. He believed the gym should not be open because gyms are in the Stage 3 of the Governor’s reopening roadmap. CM Sweet said he invited the District Attorney Todd Riebe to the meeting.

DA Riebe said he has been in contact with all DAs in Northern California and no DA is recommending the criminal route for enforcement of the orders. But gyms are in violation of the orders if they are open now. He suggests the city looking into suspension of the business license.

CM Garibaldi said that he can’t imagine how a gym can effectively keep the required social distancing and other precautionary measures. He said the city staff does not have the knowledge to judge whether an establishment is implementing the right type of measures. He said the County Health Officer’s office should be involved in enforcement. He asked the City Attorney to explain how suspending the business license would work.

City Attorney Nelson said that the city staff can write warning letters and if the violation continues, the city business would be operating unlawfully. Then city can suspend or revoke the business license.

The Council and staff also discussed the prospects of imposing a fine. Chief Mynderup also told Council about his visit to the gym last week and what he had observed. He added that he would be glad to work with the County Health Dept. on enforcement.

Public Comments: Thornton Consolo said not doing anything against the gym’s opening is a slippery slope.

Mayor brought the discussion back to Council for motion and vote. CM Sweet said staff should respond to violations without council enacting a new ordinance. CM Sweet made the following motion:
Motion to direct staff to send a warning letter first, then involve the county health department to monitor the compliance, and send a follow-up letter indicating business license suspension if no voluntary compliance. Moved by Council member Sweet, seconded by Council Member Garibaldi and failed by a 2 to 3 roll call vote.

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

Additional discussion ensued. The City Attorney clarified the direction: staff responded to violations by sending the first warning letter; the second letter indicating the prospect of business license suspension should the violation continue; and a third letter stating license suspension action. City staff will endeavor to involve the County Health Officer.

Motion for Staff to investigate all complaints about violations of the County and State Shelter In Place health orders and follow a progressive warning system in doing so to include an initial warning followed by one (1) week check in to see if compliance is achieved, if not, an official warning letter will be issued with a follow-up in one (1) week. At the end of the one (1) week follow-up and compliance still has not been achieved then a 2nd warning letter which would threaten or imply that continued violation will be subject to suspension or revocation of business license. If after another one (1) week follow-up and there still is no compliance, staff will be empowered to move forward with suspending or revoking a business license under the provision of the municipal code dated May 11, 2020 as presented. Moved by Councilmember Garibaldi, seconded by Councilmember Sweet, and carried by a 4 to 1 roll call vote:

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

c. Budget review and directions on modification of expenditures as a result of projected revenue shortfall.

City Manager explained that the City is experiencing revenue losses due to the COVID responses. Departments have taken some measures to offset the negative impact. At this point, she predicts a deficit of $393,000 by June 30, 2020. She gave a few examples of the cost-saving measures. She also pointed out that she has met the finance sub-committee which is comprised of Mayor and CM Garibaldi.

Mayor asked the council for questions. VM Gonsalves asked the City Manager to explain “freezing benefits”. Manager Kimball said the members of public bodies received benefits and given the cost involved, the Committee has recommended to freeze future cost to the current level. There was more discussion on this. Council by consensus agreed to eliminate council and planning Commission monthly stipends effective May until further notice.
CM Sweet commented that the Pool Director Martha Quin was ok to close the swimming pool for the entire season. CM Garibaldi added that he agreed because it’s impractical to hire the lifeguards only half of the season. By consensus, Council directed to close the pool for the entire season.

CM Sweet asked for the exact figures of each cost-saving measures. Kimball responded: pool closure: $18,000; stipend elimination: $4,000; early retirement of the PW Superintendent and not filling the position saves $80,000 a year. One 8-hour furlough day for the City Manager saves $550 a month, $500 for the Police Chief, $380 a month for the PW Superintendent and the Fire Chief. She added that the pool Director and the Business Promotion Consultant are not getting paid for May and June. Also, the WWTP CPO offered to take a pay cut. Kimball clarified that she needs to reach out to labor groups in order to require represented employees to take furlough days.

Council indicated that they will discuss this more during the closed session.

No public comments.

7. **REGULAR MEETING ADJOURNMENT.**

Mayor Stimpson adjourned the meeting at 9:19 p.m.

8. **CLOSED SESSION.**

   - CONFERENCE WITH LABOR NEGOTIATORS
     Agency designated representatives: Yvonne Kimball; Josh Nelson
     Employee organizations: All Units.

9. **CLOSED SESSION ADJOURNMENT.**

    Mayor Stimpson adjourned the meeting at 10:30 p.m.

**ATTEST:**

John Georgette, City Clerk

05/27/2020
Date Approved