

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: August 20, 2014

From: Susan C. Grijalva
 (Department Head - please type)

Phone Ext. X 380

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>August 26, 2014</u>	

Department Head Signature Susan C. Grijalva

Agenda Title: Medical Marijuana - Consideration of adopting an Interim Urgency Ordinance limiting indoor cultivation and a Resolution of Intention to initiate the process for adopting permanent regulations relative to indoor cultivation of medical marijuana.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

In 2011 the Board of Supervisors initiated and subsequently adopted regulations and standards for the outdoor cultivation of medical marijuana.

Due to the lack of regulations for the indoor cultivation of medical marijuana and because a potential situation has arisen for the operation of an extremely large indoor growing facility which would have the potential to increase the risk of criminal activity, degrade the natural environment, generate malodorous smells, create an attractive nuisance, and negatively impact surrounding land uses and the public's health, safety, and welfare, the County wishes to consider adopting an Interim Urgency Ordinance pursuant to Govt. Code 65858 that would limit the indoor cultivation of medical marijuana while the process to consider adopting regulations and standards for indoor cultivation is completed.

Recommendation/Requested Action:

Adopt interim urgency ordinance limiting indoor grows & Res. of Intention to initiate process to consider permanent regulations.

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman _____ Counsel _____

Auditor _____ GSA Director _____

CAO _____ Risk Management _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

Planning, Code Enforcement, Sheriff and District Attorney

FOR CLERK USE ONLY

Meeting Date 8/26/14 Time _____ Item # 6

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	For meeting of _____	ATTEST: _____ Clerk or Deputy Board Clerk

Save ...

ORDINANCE _____

AN INTERIM URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF AMADOR AMENDING CHAPTER 19.86 REGARDING CULTIVATION OF MEDICAL MARIJUANA WITHIN THE UNINCORPORATED AREA OF AMADOR COUNTY TO INCLUDE INDOOR CULTIVATION

The Board of Supervisors of the County of Amador ordains as follows:

SECTION 1. FINDINGS RELATED TO URGENCY. The Board of Supervisors finds as follows:

Currently, the County has no explicit rules or regulations governing the cultivation of medical marijuana grown, except when such medical marijuana is grown “outdoor.” The potential has arisen for an extremely large and unregulated indoor medical marijuana cultivation facility to locate near a populated area of the unincorporated County. There is insufficient time for the County to adopt a regular, non-urgency ordinance applicable to any such large-scale indoor cultivation of medical marijuana. Unless adopted on an urgency basis, large-scale indoor cultivation of medical marijuana could begin without any specific regulation applicable to it and could create inconsistent and incompatible land use. Cultivation of medical marijuana requires careful consideration and regulation of the location and manner in which it is to occur so as to prevent impacts on nearby residents and businesses. Federal law prohibits the use of marijuana, regardless of the reason for such use; while state law allows the use of medical marijuana on limited terms and conditions. This Ordinance both complies with applicable state law, as well as imposes reasonable rules and regulations protecting the public health, safety, and welfare of the residents and businesses within the unincorporated area of Amador County.

SECTION 2. ADDITIONAL FINDINGS RELATING TO NEED FOR REGULATION, INTENT, AND CEQA. The Board of Supervisors also finds as follows:

A. The voters of the State of California approved Proposition 215 (codified as Health and Safety Code Section 11362.5 *et seq.* and entitled “The Compassionate Use Act of 1996”). The intent of Proposition 215 was to enable persons who are in need of marijuana for medical purposes to be able to obtain and use it without fear of criminal prosecution under limited, specified circumstances. Further, effective January 1, 2004 the State Legislature enacted SB 420 to clarify the scope of the Compassionate Use Act of 1996 and to allow counties and other governing bodies to adopt and enforce rules and regulations laws consistent with SB 420.

B. The Board finds that there is a current and immediate threat to the public health, safety and welfare posed by large-scale indoor cultivation of medical marijuana. To protect the public health, safety, and welfare, it is the desire of the Board of Supervisors to modify the Amador County Code regarding the outdoor cultivation of medical marijuana to also address indoor cultivation.

C. It is the Board of Supervisors’ intention that nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. Section 841, nor to otherwise permit any activity that is prohibited under that Act. It is further

the Board of Supervisors' intention that nothing in this Ordinance shall be construed to (1) allow persons to engage in conduct that endangers others or causes a public nuisance, (2) allow the use of marijuana for non-medical purposes, or (3) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under California law.

D. Health and Safety Code section 11362.83 expressly allows cities and counties to adopt and enforce ordinances that are consistent with SB 420.

E. The Federal Controlled Substances Act (21 USC §§ 801 et seq.) classifies marijuana as a Schedule I Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute or dispense, transport, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substance Act does not exempt the cultivation, manufacture, distribution, dispensation, transportation, or possession of marijuana for medical purposes.

F. Medical marijuana cultivation, without certain safeguards, increases the risk of criminal activity, degradation of the natural environment and malodorous smells, particularly if substantial amounts of medical marijuana are concentrated in one place. The cultivation of medical marijuana in or near residential zones increases the risk of such activity and intrudes upon residential uses.

G. The cultivation of medical marijuana at locations or premises within the vicinity of schools, school bus stops, school evacuation sites, churches, parks, child care centers, or youth-oriented facilities creates unique risks that the marijuana plants may be observed by juveniles, and therefore be especially vulnerable to theft or recreational consumption by juveniles. Further, the potential for criminal activities associated with the cultivation or distribution of medical marijuana at such locations poses heightened risks that juveniles will be involved or endangered. Therefore, cultivation of marijuana at such locations or premises is especially hazardous to public safety and welfare, and to the protection of juveniles and the person(s) cultivating the marijuana plants.

H. As marijuana plants begin to flower, and for a period of approximately two months or more during the growing season, they produce an extremely strong odor that is offensive to many people and detectable well beyond property boundaries upon which they are grown.

I. The strong odor of marijuana may create an attractive nuisance, alerting individuals to the location of plants, thereby creating the risk of potential crimes such as burglary, robbery, armed robbery, assault, attempted murder, and murder.

J. As recognized by the Attorney General's August 2008 *Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use*, the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.

K. The limited right of qualified patients and their primary caregivers under state law to cultivate marijuana for medical purposes does not confer upon them the right to create or maintain a public nuisance.

L. Nothing in this Ordinance shall be construed to allow any conduct or activity relating to the cultivation, distribution, dispensing, sale, or consumption of marijuana that is otherwise illegal under state law. No provision of this Ordinance shall be deemed a defense or immunity to any action brought against any person by the Amador County District Attorney's Office, the Attorney General of the State of California, or the United States of America.

M. This Ordinance is not subject to the California Environmental Quality Act pursuant to sections 15060(c)(2) and 15061(b)(3). In addition to the foregoing general exemptions, the following categorical exemptions apply: sections 15308 and 15321.

SECTION 3. Chapter 19.86 of the Amador County Code is hereby amended to read as follows [deletions indicated by ~~strike through~~ and additions indicated by underline]:

**“CHAPTER 19.86
MEDICAL MARIJUANA CULTIVATION**

19.86.010 Findings.

The board of supervisors of the county of Amador finds and declares as follows:

- A. In 1996, the voters of the state of California approved Proposition 215 (codified as California Health and Safety Code Section 11362.5 and titled the "Compassionate Use Act of 1996").
- B. The intent of Proposition 215 was to enable persons who are in need of marijuana for medical purposes to be able to obtain and use it without fear of criminal prosecution under limited, specified circumstances.
- C. In 2004, Senate Bill 420 was enacted (codified as California Health and Safety Code Section 11362.7 et seq. and titled the "Medical Marijuana Program Act") to clarify the scope of the Compassionate Use Act of 1996. The Medical Marijuana Program Act allows counties to adopt and enforce rules and regulations consistent with its provisions.
- D. In 2011, Assembly Bill 2650 was enacted (codified as California Health and Safety Code Section 11362.768). This law affirms that counties can adopt ordinances that restrict the location and establishment of medical marijuana collectives.
- E. This chapter is enacted, consistent with California Health and Safety Code Section 11362.7 et seq., to protect the public health, safety, and welfare of Amador County residents.
- F. Large-scale medical marijuana cultivation increases the risk of criminal activity, degradation of the natural environment, and malodorous smells. The strong odor of marijuana may create an attractive nuisance, alerting individuals to the location of plants, thereby creating the risk of potential crimes such as burglary, robbery, armed robbery, assault, attempted murder, and murder.
- G. Large-scale medical marijuana cultivation has been occurring in Amador County

and some operations have been the subject of criminal activity, including an apparent armed robbery and murder. Large-scale medical marijuana cultivation creates a nuisance and threatens the safety and property of nearby land owners and their families.

- H. Amador County has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, in preserving the peace and quiet of the neighborhoods in which large-scale medical marijuana cultivation operations may exist, and in providing access to medical marijuana for ill residents.
- I. The limited right of qualified patients and their primary caregivers under state law to cultivate marijuana for medical purposes does not confer upon them the right to create or maintain a public nuisance.
- J. Nothing in this chapter shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. 841, or to license any activity that is prohibited under the Act except as mandated by state law.
- K. Nothing in this chapter shall be construed to (1) allow persons to engage in conduct that endangers others or causes a public nuisance; (2) allow the use of marijuana for nonmedical purposes; or (3) allow any activity relating to the cultivation, distribution, or consumption of marijuana that is illegal under state or federal law.
- L. This chapter is not subject to the California Environmental Quality Act pursuant to California Code of Regulations Sections 15060(c)(2) and 15061(b)(3).

19.86.020 Purpose and intent.

It is the purpose and intent of this chapter to prohibit the large-scale cultivation of medical marijuana in order to preserve the public peace, health, safety, and general welfare of the citizens of Amador County.

19.86.030 Relationship to other laws.

This chapter is not intended to, nor shall it be construed or given effect in a manner that causes it to apply to, any activity that is regulated by federal or state law to the extent that application of this chapter would conflict with such law or would unduly interfere with the achievement of federal or state regulatory purposes. It is the intention of the board that this chapter shall be interpreted to be compatible and consistent with federal, county, and state enactments and in furtherance of the public purposes which those enactments express. It is the intention that the provisions of this chapter will supersede any other provisions of this code found to be in conflict.

19.86.040 Definitions.

For purposes of this chapter, these words and phrases shall be defined as follows:

- A. "County" means the county of Amador or the unincorporated area of the county of Amador as required by the context.
- B. "Cultivate" or "cultivation" is the planting, growing, harvesting, drying, processing, or storage of one or more marijuana plants or any part thereof in any location.

- C. "Church" means a structure or leased portion of a structure, which is used primarily for religious worship and related religious activities.
- D. "Marijuana" shall have the same definition as in California Health and Safety Code Section 11018 as it now reads or as amended.
- E. "Medical marijuana" means marijuana used for medical purposes in accordance with California Health and Safety Code Section 11362.7 et seq.
- F. "Primary caregiver" shall have the same definition as in California Health and Safety Code Section 11362.7 et seq. as it now reads or as amended.
- G. "Qualified patient" shall have the same definition as in California Health and Safety Code Section 11362.7 et seq. as it now reads or as amended.
- H. "Residential treatment facility" means a facility providing treatment of drug and alcohol dependency.
- I. "School" means an institution of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code, or any child or day care facility. This definition includes a preschool, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but does not include a vocational or professional institution of higher education.
- J. "Youth-oriented facility" means elementary school, middle school, high school, public park, and any establishment that advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors, or the individuals who regularly patronize, congregate, or assemble at the establishment are predominantly minors.

19.86.050 Medical marijuana cultivation prohibited.

- A. ~~Outdoor~~ Cultivation of medical marijuana is prohibited in all areas of the county.
- B. This section shall not apply to ~~outdoor~~ cultivation of twelve or fewer medical marijuana plants, mature or immature, per qualified patient or primary caregiver; not to exceed a maximum of twenty-four plants on any legal parcel of record if the area(s) of the parcel where medical marijuana is being cultivated meet all of the following conditions:
 - 1. Is not within six hundred feet of a youth-oriented facility, a school, a park, or any church or residential treatment facility as defined herein.
 - 2. Is not visible from the public right-of-way or publicly traveled roads.
 - 3. Is a minimum of one hundred feet from any occupied legal residential structure located on a separate parcel and a minimum of fifty feet from a parcel under separate ownership. If either of these minimum distances cannot be met, the area under cultivation shall be screened to the extent feasible to ensure the plants are not readily visible to parcels under separate ownership.

4. If the grower is not the landowner, written permission from the landowner must be obtained prior to planting and provided to the county upon request.
5. All lights used for the cultivation of medical marijuana shall be shielded or downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel upon which they are placed.
6. The cultivation of marijuana shall not subject residents of neighboring parcels who are of normal sensitivity to objectionable odors.

19.86.060 Prohibited medical marijuana cultivation declared a public nuisance.

The establishment, maintenance, or operation of any prohibited cultivation of medical marijuana, as defined in this chapter, within the county is declared to be a public nuisance.

19.86.070 Penalties for violation.

- A. Any person and/or entity that owns or leases the property upon which medical marijuana is cultivated in violation of this chapter, owns the medical marijuana that is cultivated in violation of this chapter, or otherwise violates any of the provisions of this chapter can be subject to all of the civil, criminal, and administrative remedies as provided in Chapter 2.06 of this code, or any other remedy provided by law.
- B. In the event the county brings and prevails in any civil suit or action to enforce the provisions of this chapter, the person(s) or entity(ies) responsible for such violation shall be liable to the county for costs of the suit, including, but not limited to, attorney's fees.

19.86.080 Severability.

If any part or subsection of this chapter is for any reason held to be invalid, unlawful, or unconstitutional, such invalidity, unlawfulness, or unconstitutionality shall not affect the validity, lawfulness, or constitutionality of any other part of this chapter.

SECTION 4. EFFECTIVE DATE.

This ordinance is an urgency measure to prevent a current and immediate threat to the public health, safety, and welfare for the reasons stated herein, adopted pursuant to Section 65858 of the California Government Code, and is effective immediately upon adoption and shall remain in effect for 45 days unless extended pursuant to California Government Code Section 65858. The Clerk of the Board is hereby directed to publish this Ordinance as required by law.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the day of 2014, by the following vote:

AYES:

NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

BEFORE THE BOARD OF SUPERVISORS

COUNTY OF AMADOR, STATE OF CALIFORNIA

RESOLUTION OF INTENTION TO INITIATE)
PROCEEDINGS TO AMEND THE AMADOR) RESOLUTION NO. 14-
COUNTY CODE AS IT RELATES TO INDOOR)
MEDICAL MARIJUANA CULTIVATION)

WHEREAS, the Amador County Board of Supervisors finds that Amador County has no explicit rules or regulations governing the cultivation of medical marijuana grown anywhere other than “outdoor;” and

WHEREAS, the potential has arisen for an extremely large and unregulated indoor medical marijuana cultivation facility to locate near a populated area of the unincorporated County, and

WHEREAS, in Amador County and elsewhere in the region, violent crime has been associated with medical marijuana cultivation due to the size and monetary value;

WHEREAS, medical marijuana cultivation, without certain safeguards, increases the risk of criminal activity, degradation of the natural environment and malodorous smells, particularly if substantial amounts of medical marijuana are concentrated in one place.

WHEREAS, the Amador County Board of Supervisors finds that regulations are necessary to address the location and manner in which medical marijuana may be cultivated indoors in order to protect the public’s health, safety, and welfare;

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that a Resolution of Intention to initiate proceedings to consider amending Amador County Code to include regulations pertaining to indoor medical marijuana cultivation.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the _____th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST:

JENNIDER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
08/26/14	

To: **Board of Supervisors**

Date: August 20, 2014

From: Chuck Iley, CAO Phone Ext. _____
(Department Head - please type)

Department Head Signature 

Agenda Title: Discussion and possible action regarding the refinancing of the COPs for the CAC

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Please see attached memo regarding refinancing of the Certificates of Participation for the County Administration Center

Recommendation/Requested Action:

Direction to staff to proceed

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts None

Is a 4/5ths vote required? Yes No

Contract Attached:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Resolution Attached:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Ordinance Attached:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman _____ Counsel GG

Auditor _____ GSA Director _____

CAO _____ Risk Management _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 8/26/14 Time _____ Item # 7

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____		

Save




**AMADOR COUNTY
ADMINISTRATIVE AGENCY**

County Administration Center
810 Court Street ▪ Jackson, CA 95642-9534
Telephone: (209) 223-6470
Facsimile: (209) 257-0619
Website: www.co.amador.ca.us

August 15, 2014

MEMORANDUM

TO: Amador County Board of Supervisors

FROM: Chuck Iley, County Administrative Officer 

RE: Request for Proposal for Placement Agent

The Certificates of Participation that were issued by the County to pay for the County Administration Center are eligible to be repaid without penalty any time after October, 2014. This means that, given the current interest rates available on the market, the County could refinance these bonds by issuing new ones and repaying the old ones. By doing so, the County could save approximately \$35,000 per year after all other costs without changing the original term of the bonds.

I am requesting permission to go forward with an RFP for a Financial Advisor, who will oversee this transaction. I have attached a sample RFP from the City of Pittsburg for similar services, as an example of the services that we are seeking. I anticipate that the best option the County will have is to go with a private placement, or sale to private investors without going through the public process. This method is a much faster way of selling the bonds and requires much less risk and up-front costs to the County.

Ultimately, if the numbers do not work out and there is no benefit to proceeding with the sale, then the County can decline to proceed without penalty, although there would be some costs that the County would not be able to recover. The Financial Advisor would be working at-risk, which means that they do not get paid if the refinancing fails for any reason.

The Board will see this item again when the contract for the FA is brought forward. After that, the plan for refinancing will be brought to the Board with a full list of costs and savings along with a request for permission to proceed.

We will be trying to move this along quickly, as favorable terms are currently available and we want to make sure that they do not slip away.

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
8-26-14	

To: **Board of Supervisors**
 Date: August 5, 2014

From: James Foley - Health & Human Services Director Phone Ext. 407
 (Department Head - please type)

Department Head Signature [Signature]

Agenda Title: California Dept of Public Health Emergency Preparedness Agreement with the County of Amador

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

The Public Health Department is requesting the Board approve an agreement between the County of Amador and the California Department of Public Health for Fiscal Years 2014-2017 CDC Public Health Emergency Preparedness, State General Fund Pandemic Influenza and the Hospital Preparedness Program Funding.

Recommendation/Requested Action:

Authorize chairman to sign agreement.

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts None

None

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman _____ Counsel GP

Auditor [Signature] GSA Director [Signature]

CAO _____ Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

Return all agreements to the attention of Penny Stone in Public Health. Risk

FOR CLERK USE ONLY

Meeting Date August 26, 2014 Time 9 a.m. Item # HF

Board Action: Approved Yes No Unanimous Vote: Yes No

Ayes: _____ Resolution _____ Ordinance _____

Noes: _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Other: Pulled - Bring back to Reg. Public Mtg. for discussion

Distributed on _____	A new ATF is required from _____ Department _____ For meeting of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____		

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Emergency Preparedness Grants

Overview

- California disasters often have public health and medical impact.
- Federal government grants money to local governments to manage and limit the health and medical impact (Post 9-11 preparedness mandates: Homeland Security Act; US Code Title 42).
- The money is approved for a three-year cycle.
- Funds come from three separate funding streams for the purposes listed below:

(1) Public Health Emergency Preparedness (PHEP)

\$120,417 per year – 73% (\$87,893) allocated to staffing costs.

- Monitor, evaluate and share medical or health threat information with all health care facilities, ambulances, law enforcement, and fire agencies. Support first responder safety.
- Investigate and contain contagious diseases (pertussis, tuberculosis, rabies, etc.). Coordinate response with Center for Disease Control (CDC).
- Manage and prioritize a supply of antibiotics, vaccines, antidotes, antitoxins and other critical supplies for first responders to use in the event of a natural epidemic, agricultural spill, or terrorist attack.

(2) Hospital Preparedness Program (HPP)

\$121,801 per year – 66% (\$80,751) allocated to staffing costs.

- Coordinate and train multi-agency preparedness and response with all health care facilities, Office of Emergency Services, and many social service agencies for local health emergencies.
- Plan for evacuating or sheltering high-risk populations and those with special medical needs (elderly, children, disabled, etc.)
- Recruit and train medical volunteers, HAM operators, and animal caregivers to be ready in a disaster.

(3) Pandemic Influenza Plan

\$61,238 per year – 83% (\$50,658) allocated to staffing costs.

- Supports schools, long-term care facilities, and health care agencies in flu prevention.
- Maintain surveillance system for severe cases (hospitalized, intensive care, or fatality). Monitor quarantine or isolation needs of local disease.
- Monitor, direct and circulate information on an emerging or mutating virus to medical offices and to the public.

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
08/26/14	

To: **Board of Supervisors**
 Date: August 20, 2014

From: Chuck Iley, CAO Phone Ext. _____
(Department Head - please type)

Department Head Signature 

Agenda Title: Discussion and Possible Action regarding a response to the Amador County Grand Jury

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Recommendation/Requested Action:

Direct changes as appropriate and direction to submit response

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts None

None

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A


Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman _____ Counsel 

Auditor _____ GSA Director 

CAO  Risk Management 

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 8-26-14 Time _____ Item # 9

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes: _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____		

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AGENDA TRANSMITTAL FORM

To: Board of Supervisors
Date: 08/14/2014
From: John Plasse, District I
(Department Head - please type)

Phone Ext. x470

<input checked="" type="radio"/> Regular Agenda
<input type="radio"/> Consent Agenda
<input type="radio"/> Blue Slip
<input type="radio"/> Closed Session
Meeting Date Requested: <u>08/26/2014</u>

Department Head Signature _____

Agenda Title: Kennedy Mine Project

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to approval of the Chairman's signature on a letter of support to be sent to Cal Fire indicating Amador County will be a "Sponsoring Agency" as it relates to using inmate crews to perform fuel reduction work on Kennedy Mine Property.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Committee Review? Name _____ N/A

Committee Recommendation: _____

Comments: _____

Request Reviewed by:
Chairman [Signature] Counsel GG
Auditor [Signature] GSA Director [Signature]
CAO [Signature] Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 8/26/14 Time _____ Item # 10

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___
Ayes: _____ Resolution _____ Ordinance _____ Other: _____
Noes _____ Resolution _____ Ordinance _____
Absent: _____ Comments: _____

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A new ATF is required from _____ Department _____ For meeting _____ of _____

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ATTEST: _____
Clerk or Deputy Board Clerk



Jennifer Burns <jburns@amadorgov.org>

Re: Kennedy Mine Project documents

1 message

Theodore Novelli <tnovelli@amadorgov.org>

Wed, Aug 13, 2014 at 12:13 PM

To: John Plasse <jplasse@amadorgov.org>

Cc: Jennifer Burns <jburns@amadorgov.org>, Chuck Iley <ciley@amadorgov.org>, Gregory Gillott <ggillott@amadorgov.org>

Would Be A Pleasure To Sign
Thank You All
Ted Novelli

On Wed, Aug 13, 2014 at 10:43 AM, John Plasse <jplasse@amadorgov.org> wrote:
Jennifer and Ted,

The Kennedy Mine has approached Cal Fire P.G. Camp regarding using inmate crews to perform fuels reduction work on the Kennedy property. In order for Cal Fire to do this, they have to have a public agency sign on as the "Sponsoring Agency".

I have attached the forms that Cal Fire needs completed in order to proceed, portions of which need to be filled out by the Kennedy. I am asking for an agenda item requesting BOS approval of the County being the sponsoring agency for this project. Captain Esparza has indicated that there is no cost involved and a simple letter from the Board acknowledging the County as Sponsoring Agency for this project will suffice.

----- Forwarded message -----

From: **Money, Nancy@CALFIRE** <Nancy.Money@fire.ca.gov>

Date: Tue, Aug 12, 2014 at 4:46 PM

Subject: Kennedy Mine Project documents

To: "jplasse@amadorgov.org" <jplasse@amadorgov.org>

Supervisor Plasse,

Attached are the documents that Captain Esparza and you discussed that need to be completed for the Kennedy Mine Project. Once they are completed, please return the original documents to us at the address below.

Pine Grove Conservation Camp

PO Box 405

Pine Grove, CA 95665

If you have any questions and/or concerns, please feel free to contact us.

CAL FIRE USE ONLY	PROJECT NAME
	DATE
	FC-79 CODING

CAL FIRE USE ONLY	CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION	
	NAME CAL FIRE-PINE GROVE CAMP	
	ADDRESS PO BOX 405	
	CITY, STATE PINE GROVE, CA	
	PHONE 209-296-7591	FAX 209-296-7855

CDCR/DJJ-CHECKLIST CUSTODIAL QUARTERLY REVIEW			
INITIAL INSPECTION			
SECURITY FORM PREPARED			
SUPERVISION LEVEL	1	2	3
SECOND QUARTER			
THIRD QUARTER			
FOURTH QUARTER			

SPONSORING AGENCY	
SPONSORING AGENCY	NAME
	ADDRESS
	CITY, STATE
	PHONE
	FAX
	PAGER
	COMMENTS:

CAL FIRE USE ONLY	CAL FIRE-CHECKLIST		
	INITIAL INSPECTION		
	PROJECT NUMBER		
	IIPP-2 JOB HAZARD ANALYSIS		
	IIPP-3 CODE OF SAFE PRACTICES		
	IIPP-4 JOB SAFETY SURVEY		
	IIPP-6 EMPLOYEE TRAINING		
	CEQA/NEPA COMPLETED		
	FC-31 ATTACHED AND SIGNED		
SLASH & PILE BURNING PROCEDURES			

PROPERTY OWNER

PRIVATE PROPERTY? <input type="checkbox"/> YES <input type="checkbox"/> NO	NON PROFIT ORGANIZATION <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	FORM CAL FIRE 719 <input type="checkbox"/> YES <input type="checkbox"/> NO
PROPERTY OWNER		
ADDRESS		
CITY/STATE/ZIP	PHONE	
DESCRIPTION OF PROJECT (Type of work to be performed, attached additional sheets if necessary)		

PERIOD WORK CAN BE PERFORMED		ESTIMATED CREW DAYS
REQUESTED START DATE	REQUESTED FINISH DATE	
PLANS ATTACHED <input type="checkbox"/> YES <input type="checkbox"/> NO		
PROJECT NAME	SPONSOR'S PRIORITY	
PROJECT LOCATION		
		GPS COORDINATES

PROJECT BENEFIT ASSESSMENT (Estimate the benefits of the project including such items as; fire defense, public safety, watershed, recreation, wildlife habitat, property, vegetation, soil, water, air surface configuration, wildlife, people, economic benefits that include; reduced maintenance costs, reduced suppression costs, reduced damage, elimination of hazards, etc. attach additional sheets as necessary).

PROJECT SLASH & PILE BURNING PROCEDURES

- YES NO Predicted Fire Weather Watches or Warnings
- YES NO Hazard Reduction Pile Burning Checklist (8100)
- YES NO Sponsor has a valid burn permit on site.
- YES NO All slash & piles will be consumed or extinguished prior to crew leaving project site.
- YES NO Sponsor will provide suppression control capabilities and supervision of all slash & pile burning that continues beyond crew work day.
- YES NO Notification to agency with fire suppression responsibility for the project burn site.

STATE OF CALIFORNIA
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
**CONSERVATION CAMP PROGRAM PROJECT REQUEST
 AND RECORD**
 FC-32 (REV. 10/11) PAGE 3 OF 3

CAL FIRE USE ONLY	PROJECT SPONSOR RESPONSIBILITIES	DESCRIPTION	ESTIMATED DURATION OF NEED
	MATERIALS AND SUPPLIES		
	SPECIAL TOOLS		
	VEHICLE OPERATIONS		
	TECHNICAL SUPERVISION AND LABOR		
	OTHER (DESCRIBE)		

OPERATIONAL COST RECOVERY FROM SPONSOR

CAL FIRE USE ONLY			
	\$200.00 additional per day for use of state owned chipper.		
	\$250.00 a day with state owned weed eaters provided. (plus current F/Y administrative fee)		
	\$200.00 a day no weed eater provided. (plus current F/Y administrative fee)		\$ N/A

CAL FIRE USE ONLY	Approved For Final Planning and Scheduling	
	CAL FIRE DIVISION CHIEF	DATE
	CDCR CAMP COMMANDER	DATE
	UNIT CHIEF	DATE

Sponsors Signature	
NAME (PRINT)	
SIGNATURE	DATE
TITLE	

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 08/14/2014

From: Jennifer Burns, Clerk of the Board Phone Ext. x470
(Department Head - please type)

<input checked="" type="radio"/>	Regular Agenda
<input type="radio"/>	Consent Agenda
<input type="radio"/>	Blue Slip
<input type="radio"/>	Closed Session
Meeting Date Requested:	
<u>08/26/2014</u>	

Department Head Signature _____

Agenda Title: Minutes

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Review and approval of the Board of Supervisors Meeting Minutes for July 15, July 29, and August 12, 2014.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____ Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="radio"/> No <input type="radio"/>	Contract Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Resolution Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Ordinance Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
Committee Review? N/A <input type="checkbox"/> Name _____ Committee Recommendation: _____	Comments: _____ _____

Request Reviewed by:

Chairman <u>TAV</u>	Counsel <u>GG</u>
Auditor <u>EDJ</u>	GSA Director <u>HDJ</u>
CAO <u>[Signature]</u>	Risk Management <u>[Signature]</u>

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date <u>8/26/14</u>	Time _____	Item # <u>11</u>
Board Action: Approved Yes ___ No ___	Unanimous Vote: Yes ___ No ___	
Ayes: _____	Resolution _____	Ordinance _____
Noes: _____	Resolution _____	Ordinance _____
Absent: _____	Comments: _____	

Distributed on _____	A new ATF is required from _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	Department _____	ATTEST: _____
	For meeting of _____	Clerk or Deputy Board Clerk

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, July 15, 2014
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Theodore F. Novelli, Chairman, District III
Brian Oneto, Vice-Chairman, District V
Louis D. Boitano, Supervisor, District IV
John Plasse, Supervisor, District I

Absent: Richard M. Forster, Supervisor, District II (NaCo Conference)
Gregory Gillott, County Counsel

Staff: Charles T. Iley, County Administrative Officer
Ms. Jennifer Magee, Deputy County Counsel
Jennifer Burns, Clerk of the Board

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Supervisors. Any packets prepared by County Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

PLEDGE OF ALLEGIANCE: Chairman Novelli led the Board and the public in the *Pledge of Allegiance*

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). **At 8:30 a.m., the**

Board convened into closed session.

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Chairman Novelli reported the following issues were reviewed in closed session:

1. **Conference with Labor Negotiators:** Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Scott Kasper, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units
2. **Conference with Property Negotiators:** APN 012-040-043-516-Sweet Pea (Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley
3. **Conference with County Counsel-Public Employee Appointment** [Government Code Section 54957] Discussion and possible action relative to a Part-time Air District Manager & Air Pollution Control Officer (Pursuant to contract with Amador Air District).
4. **Conference with County Counsel - Existing Litigation** [Government Code 54956.9(a)]:
 - a. County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)
 - b. County of Amador v. Department of the Interior, Ken Salazar, Secretary of the Interior; et al, In the United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD
5. **Conference with County Counsel – Potential Litigation** [Government Code 54956.9(b)]:
 - a. Buena Vista Rancheria [Government Code 54956.9 (b)]
 - b. Claim of Elaine Duran
 - c. Claim of Steve Duran
 - d. Claim of Linda Homan
6. **Confidential Minutes:** Review and approval of the confidential minutes of June 24, 2014.

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

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to approve the agenda as amended above.

Ayes: Supervisors Plasse, Oneto Novelli and Boitano

Noes: None

Absent: Supervisor Forster

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per person.

2014 California State Fair Exhibit: Ms. Maureen Funk, ACT Executive Director, addressed the Board and advised the County exhibit at the 2014 California State Fair earned a gold award. Ms. Funk took this time to thank the Board, the Amador Vintners Association and other Business Partners for their support and she feel this exhibit will bring increased visitation to Amador County. The Board thanked Ms. Funk for her hard work and dedication to this project each year.

Days of 49 Celebration: Mr. John Queirolo, District V resident and current Kit Carson Mountain Men President, took this time to announce an upcoming county wide celebration of the 160th anniversary of Amador County, also known as the Centennial Diamond Jubilee. Most of the towns of Amador were first settled by miners in 1849, so the celebration is titled "The Days of '49". The celebration will be held Sept. 25th through the 28th. It begins with a 4-day wagon train traveling from the Shenandoah Valley to Jackson, depicting an authentic look back in time at the first arrival of settlers and miners to the Amador County region. There will be a 2-day celebration on Main St., Jackson, highlights include a BBQ and an evening street dance on Main St. on Saturday. Sunday concludes with a parade down Main St., also food, interpretive historic displays such as gold panning, melodrama acts, collection of horse drawn wagons, costume contest and possibly a fast-draw competition. Mr. Queirolo encouraged those present to attend and to spread the word to those who were not in attendance today. Ms. Gale Fairbrother also provided information regarding the celebration and requested the Board contribute financially to the event if possible.

Dollar General Store: The following individuals wished to speak in opposition of the Dollar General Store locating in the Pine Grove area. Their concerns encompassed, but were not limited to, traffic, public safety, property values, loss of current businesses, quality of life, updated Environmental Impact Report and lack of public input opportunity regarding the project.

Mr. Jim Snoke, District V
Mr. John Carlson, District III
Ms. Susan Lacosha, District IV
Ms. Anne Heisebuttel, District V
Ms. Rebecca Brown, District V
Mr. Gary Reinoehl, District V
Ms. Debbie Dunn, District III
Mr. Raymond Jennings, District III
Ms. Jan Houghten, District III
Mr. Craig Burman, District IV
Mr. Fred Claypool, District IV
Ms. Lynn Morgan, District III

The following individuals also wished to speak relative to this matter, however were not speaking solely in support or opposition, but rather expressing opinion about free enterprise, curtailing a town center concept and encouraging continued thoughtful discussion between the property owner, residents and Dollar General.

Mr. Mark Bennett, District V
Mr. Terry Nielsen, District IV
Mr. John Heisenbuttel, District V

Amador Fire Protection District: Newly appointed AFPD Chief Mr. Dave Bellerive, took this time to announce that on June 30, 2014 former AFPD Chief Jim McCart retired and he wanted to recognize Chief McCart's dedication and service throughout his years of service and wish him a long and happy retirement.

REGULAR AGENDA

Retirement Resolutions: Discussion and possible action relative to adoption and presentation of resolutions recognizing the following employees upon their retirement from the County of Amador:

- a. Connie Murdock, Library (#14-056)
- b. Mike Boitano, Department of Agriculture and Weights and Measures (#14-057)
- c. John Vail, General Services/Animal Control (#14-058)
- d. John Joerke, Department of Transportation and Public Works (#14-059)
- e. Tony Maris, Environmental Health Department (#14-060)
- f. Estella Valdez, District Attorney's Office (#14-061)

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Oneto unanimously carried to adopt the foregoing resolutions.

Ayes: Supervisors Boitano, Oneto, Novelli and Plasse

Noes: None

Absent: Supervisor Forster

Chairman Novelli presented the Resolutions to the retirees at this time.

General Services Administration: Discussion and possible action relative to disposition of Rabb-Collins Estate personal property.

Mr. Jon Hopkins, General Services Director, addressed the Board and stated on March 25, 2014 the Board of Supervisors reviewed a list of items from the Rabb-Collins Estate of which the Amador County Historical Society recommended a portion of those to be accessioned to the Museum. Mr. Hopkins continued by stating the Board gave direction to staff to work with the Historical Society regarding the list of items approved by the Board to be taken to the Museum versus those items to be sold. In the meantime, he stated, the Amador County Historical Society reduced the items requested and those items are now displayed in the

Museum. The reduction will result in items of greater value being recommended to be sold. Mr. Hopkins also noted the Board asked staff to research the best methods to sell the remaining property which resulted in the recommendations by Ms. Christine Poe, GSA Executive Assistant, which are incorporated in the Board packet for today's date. Ms. Poe's memo indicated Ms. Linda Hawthorne, who appraised the estate on June 7, 2013, has offered to list the items on a site she has access to through her Estate Liquidation Business. This site has 55,000 subscribers nationally and there would not be a charge to the County, Ms. Hawthorne would cover it out of her commission. The items would be listed for 90 days. According to Ms. Poe Ms. Hawthorne would set the asking prices based on her appraisal figures and take offers from potential clients. She would bring interested buyers to view the items in person if they wished to do so. She is asking for a minimal 10% commission on anything sold, to maximize the return to the County. All shipping charges would be paid by the buyer and Ms. Hawthorne would coordinate with the buyer to facilitate shipping.

Ms. Poe also noted Ms. Hawthorne recommends two top auction houses, one in Louisiana (which is the best location for this type of furniture) and the other is located in San Francisco, if the County should choose not to use her services. However, it is important to note that the County would be responsible for all packing and shipping charges, and the minimum selling prices would be set by the auction house and these locations can charge 30% -40% commission as well as additional miscellaneous charges for advertising, web illustration etc.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to move forward with the proposal by Ms. Linda Hawthorne to list the entire Rabb-Collins Estate on her recommended site through her Estate Liquidation Business for a reasonable amount of time. Any remaining pieces that cannot be sold will be listed on the public surplus market at a later date.

Ayes: Supervisors Boitano, Plasse, Novelli and Oneto

Noes: None

Absent: Supervisor Forster

Planning Department: Discussion and possible action relative to a presentation of the general outline of the process and tasks involved with the upcoming release of the Draft General Plan and the Draft EIR for public review.

Ms. Susan Grijalva, Planning Director, addressed the Board and stated in anticipation of the upcoming release of the Draft General Plan and the Draft EIR for public review staff is presenting the Board with a general outline of the process and tasks involved.

TENTATIVE GENERAL PLAN SCHEDULE:

- Draft General Plan and Draft EIR released to public and agencies for 45 day public review and comment period. Staff will be requesting comments be submitted in writing to ensure all comments are addressed.

- Public Meeting on DEIR-to be a Joint Panel Meeting
- 45-day public comment period closes
- Final EIR and Revised Draft General Plan to public and commenting agencies
- Planning Commission Public Hearing
- Board of Supervisor Public Hearing

Ms. Grijalva stated she is seeking direction from the Board today on notification for the Joint Panel meeting to be held during the public comment period for the DEIR as well as notification for the Planning Commissions public hearing on the DEIR and Draft General Plan for recommendations to the Board. She continued by stating the Board can consider the following two options for notification:

- An 1/8 or ¼ page ad, city, agency, tribe, and interested party distribution lists, (this is the minimum required by law), and press releases; or possibly flyers at public locations. (ie. Libraries, etc.)
- Full County-wide individual property owner mail-out and the above notifications. (this option will result in significant cost and staff time)

Ms. Susan Bragstad, speaking on behalf of the Foothill Conservancy, took this time to make the following suggestions with respect to this agenda item.

- First, we suggest that you have at least one evening workshop early on to familiarize the public with the content of the draft general plan. The workshop should focus on how the proposed update differs from the existing plan: what has been changed, what has been added, what has been removed, what stays the same. That will help local residents play a more informed role in reviewing and commenting on the plan and EIR. Holding workshops in different parts of the county would likely reach a greater segment of the public.
- Second, we would like to recommend that the public comment period be 90 days, not 45 days. The general plan text online is not complete or final, and even those of us involved in working on the update from the beginning need to review the entire document. In addition, many members of the public take vacations during the summer months, which likely reduces the time they have to review and comment on the plan and EIR. Considering that this process began in 2006, we don't think delaying the process 45 days will be an undue burden on anyone. As important as it is to complete the plan, rushing at this stage is neither warranted nor wise.
- Lastly, we would urge you to publicize the availability of the plan, workshops, hearings and key deadlines as widely as possible, sending letters to all registered voters and landowners. The general plan will affect everyone in the county, not just those who own property. The notification should include an explanation of what the general plan is and why it matters to local landowners and residents. In addition, we would encourage you to use the various social media outlets available and widely used to distribute information today, including Loraine's e-mail list and Facebook, in addition to print advertisements and letters.

Ms. Sherry Curtis, District III, requested copies be placed at the Libraries for public review.

Mr. Gary Reinoehl, District V, requested an extension of the proposed public comment period from 45 to 90 days due to upcoming Regional Transportation Plan comments as well as critical and time sensitive meetings in the future that may require necessary reading and research and may overlap with the General Plan and not allow adequate time for comment.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Boitano and unanimously carried to direct staff to publish a ¼ page ad with distribution being to city agencies, tribe and interested party lists and leaving the public comment period at 45 days.

Ayes: Supervisors Plasse, Boitano and Novelli

Noes: Supervisor Oneto

Absent: Supervisor Forster

Supervisor Oneto substantiated his No vote by stating he is in favor of full County-wide individual property owner mail-out notifications, at least for the first notice.

Community Development Agency: Discussion and possible action relative to approval of a request submitted by Edward and Cheryl Stephens authorizing a payment plan of their Traffic Mitigation Fees owed to the Public Works Department in the amount of \$6,380.00 for property located at 22701 Upton Road (APN 014-110-028).

Lengthy discussion ensued with staff being directed to advise the applicants that the following parameters will need to be followed if they wish pursue this payment plan request. In addition staff will bring the draft policy back to the Board at the next meeting for adoption of the guidelines as well as advise the applicants to be prepared to come before the Board.

ACTION: All applicants requesting payment plans due to financial hardship shall be required to appear before the Board of Supervisors to demonstrate a valid financial hardship, agree to annual payments for a term length to be negotiated on a case by case basis, and all recording fees required by the County Clerk Recorder to record the payment agreement shall be the responsibility of the applicant.

Minutes: Discussion and possible action relative to review and approval of the May 13, 2014 and June 24, 2014, Board of Supervisors Meeting Minutes.

Ms. Jennifer Burns, Clerk of the Board, advised the Chairman that the May 13, 2014 Board of Supervisors Meeting Minutes were approved at the June 24, 2014 Board Meeting, therefore, the only minutes before the Board for approval today are from the June 24, 2014 Board Meeting.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Plasse to approve the June 24, 2014 Board of Supervisors Meeting Minutes with minor corrections.

Ayes: Supervisors Boitano, Plasse, Novelli and Oneto

Noes: None

Absent: Supervisor Forster

ADJOURNMENT: Until Tuesday, July 29, 2014, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

July 15, 2014

NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

1. **BUDGET MATTERS**

- A. **General Services Administration:** Approval of increases to the Airport Budget Expense Line Item 7900-52393 (Special Projects) to allow the completion of the FAA Airport Improvement Project, PAPI light installation and Obstruction Mitigation and increase the Airport Budget Revenue Line Item 7900-45630 (Federal Aid) and 7900-45040 (State Aid) to offset the additional expenses.

2. **TAX MATTERS**

- A. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 031-010-117-000 (US Small Business Administration); APN 031-060-015-000 (US Small Business Administration); APN 014-240-010-000 (McCormick Amie and Matthew); APN 014-240-010-000 (McCormick Amie and Mathew).

3. **RESOLUTIONS**

- A. **Treasurer / Tax Collector (#14-062):** Approval of a resolution approving the Schedule of Delinquent Unsecured Collection Fees that will allow the Tax Collector's Office to recover the actual average costs of collection for the listed delinquent unsecured collection actions.
- B. **Surveying and Engineering (#14-064):** Approval of a resolution issuing three (3) Certificates of Compliance to Raymond J. Albiani and Jacquelyn S. Albiani, Trustees of the Albiani Trust dated April 29, 2014, in the Willow Springs area (APN 008-050-007).
- C. **Planning Department (#14-064):** Approval of a resolution authorizing the rescission of a portion of California Land Conservation Act Contract #34 and the simultaneous re-entry into a new California Land Conservation Act Contract pursuant to a Boundary Line Adjustment Contract No. 426 *Howard Family Trust*.
- D. **Planning Department (#14-065):** Approval of a resolution acknowledging receipt of the Notice of Non-renewal for a portion of California Land Conservation Act Contract No. 25*Greilich Ranch*.

- E. **Library (#14-066):** Approval of a resolution honoring Ms. Linda Teagle upon her retirement after 17 years of service.
- F. **District Attorney (#14-067):** Approval of a resolution approving an application relative to the *Automobile Insurance Fraud Program* for the 2014-2015 Fiscal Year.
- G. **District Attorney (#14-068):** Approval of a resolution approving application relative to the *Workers' Compensation Insurance Fraud Program* for the 2014-2015 Fiscal Year.
- H. **District Attorney (#14-069):** Approval of a resolution approving an application relative to the *Life and Annuity Consumer Protection Program* for the 2014-2015 Fiscal Year.
- I. **Health and Human Services (#14-070):** Approval of a resolution approving the State of California Department Health and Human Services Agency Health Care Services Amended Contract No. 12-89237 for *Substance Use Disorder Services* that was increased by \$5,466.00.
- J. **General Services Administration (#14-071):** Approval of a resolution declaring 8.72 Acres as Surplus and Intention to Sell real property (APN 030-060-062) lying southerly of the County Road leading from Volcano to the Red Corral in Pioneer, California.
- K. **General Services Administration (#14-072):** Approval of a resolution declaring .05 acre Lot as surplus and the County's Intention to Sell real property located at Lot 498 (APN 003-022-007) Lake Camanche Village Unit 1 at 4431 Newman Court, Ione, California.
- L. **Administrative Agency (#14-073):** Approval of a Revised Resolution for the Salaries and Benefits for Management showing effective July 9, 2014, Agricultural Commissioner position has been added and Salary is \$8,101.00. If the Air Pollution Control Officer Classification is assigned to the Agricultural Commissioner, the pay will reflect a 10% increase.
- M. **Health and Human Services:** Approval of resolutions for the following employees retiring from the Health and Human Services Agency:
 - Alana Mitchell – Social Services (**No. 14-074**)
 - Linda Mason – Social Services (**No.14-075**)
 - Virginia Branson – Social Services (**No. 14-076**)
 - Kimberly Crippen – Social Services (**No. 14-077**)
 - Paul Severson – Alcohol and Drug Services (**No. 14-078**)
 - Patricia Bartosiewicz – Social Services (**No.14-079**)

4. **AGREEMENTS**

- A. **Assessor's Office:** Approval of an amendment to original agreement dated July 1, 2013, between County of Amador and *Harold W. Bertholf, Inc.* for Mineral Appraisals for Lease Howard assessment appeals. The amendment includes the New Fee Schedule for 2014 and extends the agreement to June 30, 2015.
- B. **Assessor's Office:** Approval of an agreement between County of Amador and *Kronick Moskovitz Tiedemann and Girad* for Service of Special Counsel, for Lease/Howard/Unmin Properties through June 30, 2015.

- C. **Planning Department:** Approval of a minor Amendment to Reclamation Plan, relative to Amador County Code Section 7.36.180 – Surface Mining, to administratively update ownership, operator, and boundaries for the area covered by the Reclamation Plan (RP 93-1) requested by *Horseshoe ‘A’ Mining Co., dba Upper Dry Creek Slate Mine*.
- D. **Planning Department:** Approval of a minor amendment requested by *ARA Edwin Clays, LLC* pursuant to Amador County Code Section 7.36.180 – Surface Mining, to extend the termination date for the Gage Pit Reclamation Plan (RP 95-1) from 2014 to 2050 to adjust for current market conditions and forecasting.
- E. **Health and Human Services:** Approval of a First Amendment to original agreement (6/25/13) with *First 5 Amador* to provide outreach and engagement services to children aged 0-5 and their families/caretakers in Amador County.
- F. **Health and Human Services:** Approval of a Second Amendment to original agreement (6/12/12) with *LocumTenens.com, LLC* for providing temporary psychiatric coverage, if needed, for Amador County Behavioral Health clients.
- G. **Health and Human Services:** Approval of a First Amendment to original agreement (1/28/13) between the County of Amador and *William Halloran, M.D.* to provide child psychiatry services.
- H. **Health and Human Services:** Approval of a First Amendment to original agreement (10/8/13) with *Victor Treatment Centers*, a residential treatment facility for youth and young adults, resulting from mental, behavioral, or emotional disorders.
- I. **General Services Administration:** Approval of changes to Purchasing Policy, Operations and Ordinance and dispense with the formal bid procedures and enter into an agreement with *Office Depot* for office supplies and printing services.
- J. **General Services Administration:** Approval of a request to award Bid ITB 14-14 to *Hertzig* in Mokelumne Hill for Sheriff’s Office Overlay Project in the amount of \$38,878.00.
- K. **General Services Administration:** Approval of RFQ 14-03 for On-Call Professional Services to be used on various Public Works projects until July 31, 2017.
- L. **General Services Administration:** Approval to award RFP 14-12 to *Nexus* for the following Proposals and authorize the Chairman to execute said agreements for the programs listed contingent upon the Health and Human Services Director and County Counsel’s approval:
- **Proposal A-Building Blocks of Resiliency Program** not to exceed \$40,000.00
 - **Proposal B-Community Outreach & Engagement** not to exceed \$130,000.00
 - **Proposal C-Promotores de Salud Program** not to exceed \$30,000.00
 - **Proposal D-Youth Empowerment Program/Project SUCCESS** not to exceed \$40,000.00
 - **Proposal E-Substance Abuse Prevention Program** not to exceed \$84,276.00
- M. **Transportation and Public Works:** Approval of an Agreement for Purchase of Property from *Wetsel-Oviatt Lumber Company* for two parcels (APN 023-010-025 and 021-050-041) at a cost of \$1,000.00 per acquisition for the construction of turnouts along Fiddletown Road.
- N. **Administrative Agency:** Approval of an agreement with *Parcelquest* for use of their database for internal use free of charge.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

- A. **Recorder / Clerk:** Approval of a request to convert an extra-help position in Elections to a full-time position to be split between Elections and Clerk/Recorder. The full-time position, Recorder Clerk1/Elections Support Worker, will be funded by an increase in recording fees, Recorder trust funds as well as budget line item reductions in Elections.
- B. **Administrative Agency:** Approval of the County Administrative Officer's signature on a letter requesting the California Debt Limit Allocation Committee (CDLAC) assign Amador County's 2014 allocation to California Home Finance Authority (CHF) for inclusion in their Mortgage Credit Certificate Program.
- C. **Health and Human Services:** Approval of a request to hire one (1) Eligibility Worker I/II due to employee accepting a position in the Conservator's office.
- D. **Health and Human Services:** Approval of a request to hire one (1) Administrative Assistant I due to employee accepting another position in Social Services.
- E. **General Services Administration:** Approval to dispense with the formal bidding procedures and authorize the Purchasing Agent to issue a purchase order in the amount of \$20,059.04 for one (1) used 2011 Ford Escape SUV 4x4 from Jeff Holman Auto Center for Sheriff's Office ACCNET division.

8. **GENERAL CORRESPONDENCE**

- A. A Notice of Proposed Regulatory Action from the *State Fish and Game Commission* relative to take of rare plants, which will be published in the California Regulatory Notice register. Mr. Craig Martz, Regulations Unit Manager, Department of Fish and Wildlife, telephone number (916) 653-4674, has been designated to respond to questions on the substance of the proposed regulations.
- B. A Notice of Proposed Regulatory Action from the *State Fish and Game Commission* relative to harvest of herring and harvesting of herring eggs, which will be published in the California Regulatory Notice Register. Mr. Ryan Bartling, Marine region, Department of Fish and Wildlife, telephone number (707) 576-2877, has been designated to respond to questions on the substance of the proposed regulations.
- C. A Notice of Proposed Regulatory Action from the *State Fish and Game Commission* relating to a minimum hole diameter for commercial hagfish traps, which be published in the California Regulatory Notice Register. Dr. Craig Shuman, Manager, Marine Region, Department of Fish and Wildlife, telephone number (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.
- D. Memorandum from the Environmental Health Department relative to a recap of activity during the month of June 2014 totaling \$8,109.50.
- E. Auditor's check register dated June 23, 2014 totaling \$ 415,203.80.
- F. Auditor's check register dated June 30, 2014 totaling \$ 362,921.45.

- G. Auditor's check register dated July 2, 2014 totaling \$ 248,431.35.
- H. Letter of Commendation dated July 1, 2014, from Mr. Bill Dwyer thanking Ron's road crew for the brushing done on Homestead Road.

THEODORE F. NOVELLI, Chairman
Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, July 29, 2014
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Theodore F. Novelli, Chairman, District III
Brian Oneto, Vice-Chairman, District V
Richard M. Forster, Supervisor, District II
Louis D. Boitano, Supervisor, District IV
John Plasse, Supervisor, District I

Staff: Gregory Gillott, County Counsel
Jennifer Burns, Clerk of the Board

Absent: Charles T. Iley, County Administrative Officer

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Supervisors. Any packets prepared by County Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

PLEDGE OF ALLEGIANCE: Chairman Novelli led the Board and the public in the *Pledge of Allegiance*

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). **At 8:30 a.m., the Board convened into closed session.**

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Chairman Novelli reported the following issues were reviewed in closed session:

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Scott Kasper, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units

ACTION: Nothing to report.

Conference with Property Negotiators:

APN 044-010-116-000 Tim Earl (Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley

ACTION: Update given.

APN 023-250-013-000 Anselmi and Peccianti Trusts (Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to approve the final purchase amount (\$1,000.00) and authorize the Chairman to sign the agreement and escrow documents.

Conference with County Counsel - Existing Litigation [Government Code 54956.9(a)]:
County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)

ACTION: Update given.

County of Amador v. Department of the Interior, Ken Salazar, Secretary of the Interior; et al, In the United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

ACTION: Update given.

SEIU Local 1021 v. County of Amador, State of California, Public Employment Relations Board, Case No. SA-CE-861-M

ACTION: Update given.

Conference with County Counsel – Potential Litigation [Government Code 54956.9(b)]:
Buena Vista Rancheria [Government Code 54956.9 (b)]

ACTION: Nothing to report.

Claim of Christina Munoz

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to deny the subject claim due to liabilities and damages of the County are disputed.

One Case

ACTION: Update given.

Confidential Minutes: Review and approval of the confidential minutes of July 15, 2014.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to approve the confidential minutes of July 15, 2014.

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

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to approve the agenda as amended above.

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per person.

Sand Fire: Undersheriff Wegner, Sheriff Martin Ryan provided a brief update relative to the Sand Fire as it related to law enforcement and Office of Emergency Service efforts. Cal Fire Unit Chief Mike Kaslin and Deputy Chief Brian Estes provided an informative power point presentation relative to and stated at this time the fire is 80% contained with approximately 3,800 acres burned, 515 structures threatened, 66 structures destroyed and one injury reported. The

sated 116 Engines, 33 Water Tenders, 8 Dozers, 54 hand Crews and 1 helicopter were fighting the fire, total personnel involved was 1,617. Chief Kaslin stated Cal Fire expects complete containment by August 1, 2014. A complete copy of the Power Point Presentation is incorporated in the Board packet for today's date.

Ione Band of Miwok Indians: Ms. Joan Villa, Historic band of Miwok Indians, addressed the Board and stated it has brought to her attention that there is another interest by the State and the environmental community to attempt to designate the Mokelumne River as 'wild and scenic'. Ms. Villa presented a letter to the Board signed by Mr. Nicolas Villa, Jr. Chief of the Historic Ione Band of Miwok Indians, whereby he states the Band will support and stand ready to assist the Amador County Board of Supervisors and its opposition to the effort to create a state law for the purpose of "wild & scenic" designation of the Mokelumne River.

CONSENT AGENDA: Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

Pull Item 3C..put on Regular Agenda as Item #11.

Chairman Novelli advised the following item has been pulled from the Consent Agenda for today's date and will be discussed as item No. 11 on the Regular agenda.

Surveying and Engineering: Approval of a resolution approving Parcel Map No. 2845 for *Del Rapini Construction, Inc.*, a California Corporation and Delbert E. Rapini, Trustee of the Delbert E. Rapini 2003 separate property Trust UDT dated August 20, 2003.

Supervisor Oneto advised the following item should be amended as follows:

General Services Administration: Approval to award RFP No. 14-18 Contract Services to Amador-Tuolumne Community Action Agency (ATCAA) for *Implementation of Independent Living Program*, authorize the HHS Director, and County Counsel to negotiate final terms and conditions and develop a contract based upon Sample Agreement and approve the Board Chairman to execute agreements for the program.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to approve the Consent Agenda as amended.

REGULAR AGENDA

Amador County Chamber of Commerce: Discussion and possible action relative to a request by the subject entity for allocation of the 2014/2015 Transient Occupancy Tax monies in the amount of \$25,000.00.

Ms. Beth Stanton, Chamber President, addressed the Board and stated the Amador County Chamber of Commerce & Visitors Bureau will use funds received from the County to accomplish the following:

- Promotional Materials-\$10,000.00
- Regional/Local Promotions/Memberships-\$2,500.00
- Support Services-\$12,500.00

The following individuals wished to speak relative to this matter.

Ms. Sherry Curtis, District III resident,
Ms. Gwen Clayton, District IV resident

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Boitano and unanimously carried to allocate the 2014/2015 Transient Occupancy Tax monies in the amount of \$25,000.00 to the Amador County Chamber of Commerce.

River Pines Public Utility District: Discussion and possible action relative to appointment of one or more Board members to the subject District Board, pursuant to Government Code Section 1780(h).

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to appoint Rodney Peterson and Debra Gedgate to serve on the River Pines Public Utility District.

****10:30 A.M.****

PUBLIC HEARING

Community Development Block Grant (CDBG): Discussion and possible action relative to a public hearing for the purpose of soliciting citizens's views regarding the potential submission of Community Development Block Grant (CDBG) annual performance reports to the State Department of Housing and Community Development (HCD).

Ms. Terry Cox, Cox Consulting, presented this item to the Board.

Chairman Novelli opened the public hearing at this time. Hearing no public comment the following action was taken.

ACTION #1: Public Hearing closed pursuant to the following motion.

MOTION #1: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to close the public hearing.

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to submit the annual performance reports to the State Department of Housing and Community Development.

Community Development Agency: Discussion and possible action relative to Board input regarding fee deferral requests and recommendation of any amendments to proposed documents to be provided to potential applicants.

Mr. Aaron, Brusatori, Community Development Director, addressed the Board and stated included in the Board packet for today's date are examples of the documentation that would be required to be executed by Amador County and an applicant to memorialize the terms of a fee deferral agreement. These documents include:

- Fee Deferral Agreement
- Promissory Note
- Deed of Trust with Assignment of Rents
- Resolution Authorizing Recordation of Fee Deferral Agreement for Building Permits

Mr. Brusatori state staff recommends that applicants requesting impact fee deferral be provided the documents and be scheduled for next available Board of Supervisors meeting. At the Board meeting, the applicant will be required to demonstrate hardship and the Board will consider and recommend terms for the fee deferral agreement.

Discussion ensued with the following action being taken.

ACTION: Direction given to staff to provide potential applicants with the documents presented today and advise applicants to be prepared to exhibit a legitimate financial hardship to the Board prior to a decision being made.

Community Development Agency: Discussion and possible action relative to rejection of all bids relative to the Rabbit Creek Cause Phase II project and approval to revise the bid and re-advertise.

Mr. Aaron Brusatori, Community Development Director, summarized this item for the Board. He stated staff is requesting the Board consider directing staff to revise the bid documents to include an open-cut solution and re-advertise for bids. The open-cut solution would allow the contractor to shut down Camanche Parkway, at the causeway, for up to three months. The revised bid documents would eliminate prequalification requirements and owner supplied material.. Staff believes that an open cut option with an extended duration road closure would be the most cost effective solution. An open-cut solution would increase the number of contractors available to complete the work, including local contractors.

Discussion ensued with the following action being taken.

ACTION: **Direction given to staff.**

MOTION: **It was moved by Spervisor Boitano, seconded by Supervisor Plasse and unanimously carried to reject all bids relative to the Rabbit Creek Causeway Phase II project and approval and revise bid and re-advertise.**

Clean Water Act: Discussion and possible action relative to proposed amendments to the subject Act by the Environmental Protection Agency (EPA).

The following individuals wished to speak relative to opposing this Act.

Mr. John Heissenbittel, District V
Ms. Sherry Curtis, District III
Mr. Mark Bennett, District V
Mr. Jim Snoke, District V
Ms. Sharon Lundgren, District IV

Discussion ensued with the following action being taken.

ACTION: **Direction given pursuant to the following motion.**

MOTION: **It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to authorize the Chairman's signature on a letter of opposition relative to the Environmental Protection Agency's proposed actions and support HR5078 which would prohibit the Corporation of Engineers from finalizing and adopting the proposed rules. The letter shall be sent to the Environmental Protection Agency, Federal and State Legislators, California State Association of Counties and Regional Council of Rural Counties.**

Surveying and Engineering (Pulled from the Consent Agenda for today's date):
Approval of a resolution approving Parcel Map No. 2845 for *Del Rapini Construction, Inc.*, a California Corporation and Delbert E. Rapini, Trustee of the Delbert E. Rapini 2003 separate property Trust UDT dated August 20, 2003.

George Allen, County Surveyor, addressed the Board and advised Mr. Del Rapini would like the following language, agreed upon by Mr. Rapini, the Community Development Agency and Cal Trans be added to the Parcel Map prior to approval.

*****Any development over 22,000 square feet or generating more than 1587 trips per day cumulatively for the Parcels on this map will require further evaluation to determine fair share contribution for mitigation of impacts to the intersection of Ridge Road and State Highway 88 (Condition No. 8 of Pine Grove Shopping Center Zone Change Mitigation Measures*****

Mr. Brett Jolley, Counsel for the Pine Grove Business Alliance and other concerned Pine Grove area residents, taxpayers, voters and property owners who are concerned with the land use and environmental effects that will flow from the construction and operation of a new Dollar General retail store and other retail shopping development at the intersection of SR-88 and Ridge Road in the unincorporated community of Pine Grove. Mr. Jolley continued by stating it is his opinion that the Parcel Map cannot be approved for several reasons. First, the County has not conducted any sort of environmental review for the Project. Second, the Parcel Map itself violates the requirements of the Amador County Code by combining R-1 and C-2 zoning districts in violation of Section 19.16.010. Third, the Parcel Map ultimately facilitates primary (non-accessory) retail uses in the C-2 zoning district in violation of Amador County Code Section 19.24.040. Mr. Jolley also stated he is requesting, on behalf of his clients, that the Board take action denying the Parcel Map for the following reasons:

- The County has not adequately evaluated and mitigated the impacts of the Parcel Map and therefore cannot yet approve the Parcel Map.
- The Parcel map violates Section 19.16.010 of the County Zoning Ordinance and cannot be approved in the form proposed.
- The Dollar General Store is not allowed in the C-2 Zoning District.

Ms. Susan Grijalva, Planning Director, addressed the Board and responded to some of the concerns raised by Mr. Jolley. She stated this parcel is classified as split zoning, and is not uncommon. She explained that this particular parcel started as C2 and residential, the boundary line adjustment proposal will enlarge the residential parcel to include some commercial area. Historically the county has allowed C1 uses in C2 districts. The environmental review that was done when the zoning for this parcel was put into place evaluated a project that was significantly larger than what Mr. Del Rapini has had evaluated under the 2010 traffic study. Originally it was approximately 60,000 square feet and included a complex with anchor grocery store, possibly a hotel and smaller boutique type retail stores as well as office space. The mitigation measures for this project were put into place as a result of the environmental analysis which was conducted at the time the zoning was put in place. Those mitigations are what Cal Trans, County

Departments and Mr. Rapini have been operating under since that time and have been used to evaluate and impose any requirements for projects that Mr. Rapini has brought forward over the years. Ms. Grijalva noted this project has proceeded farther than any projects previously proposed by Mr. Rapini.

At this time Mr. Brett S. Jolley, Attorney at Law, submitted for the record a signature petition consisting of signatures of approximately 1,800 upcountry residents.

Supervisor Plasse asked Mr. Jolley what the petition heading language stated. Mr. Jolley deferred to Mr. Greg Gillot, County Counsel, who responded as follows:

“We, the undersigned, oppose ANY Dollar General Store in Amador County NOW and in the FUTURE, WE DON’T WANT IT! WE DON’T NEED IT! WE WILL NOT PATRONIZE IT!”

Chairman Novelli opened the comment period relative to this matter to the public. The following individuals wished to speak relative to this matter.

- Mr. Jim Snoke, District V
- Mr. John Heissenbuttel, District V
- Ms. Sherry Curtis, District III
- Ms. Sharon Lundgren, District III
- Georgean Wilmot, District V
- Mr. Mark Bennett, District V
- Ms. Debra Dunn, District IV
- Ms. Gwen Clayton, District IV

Lengthy discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to adopt the following resolution approving Parcel Map No. 2845 for Del Rapini Construction, Inc. a California Corporation and Delbert Rapini, Trustee of the Delbert E. Rapini 2003 separate property trust UDT Dated August 20, 2003, and accepting and rejecting offers of dedication and incorporating the following language to be recorded with the Map.

*****Any development over 22,000 square feet or generating more than 1587 trips per day cumulatively for the Parcels on this map will require further evaluation to determine fair share contribution for mitigation of impacts to the intersection of Ridge Road and State Highway 88 (Condition No. 8 of Pine Grove Shopping Center Zone Change Mitigation Measures*****

RESOLUTION NO. 14-082

Resolution approving Parcel Map 2845 for Del Rapini Construction, Inc. a California Corporation and Delbert E. Rapini, Trustee of the Delbert E. Rapini 2003 Separate Property Trust UDT Dated August 20, 2003, and accepting and rejecting offers of dedication.

Minutes: Discussion and possible action relative to review and approval of the July 15, 2014 Board of Supervisors Meeting Minutes.

ACTION: The July 15, 2014 Board of Supervisors Meeting Minutes were held over for approval at a future meeting.

ADJOURNMENT: Until Tuesday, August 12, 2014, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

July 29, 2014

NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

1. **BUDGET MATTERS** None

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Building Department:** Approval of a resolution authorizing recordation of Agreement to *Limit Uses of Agricultural Structure* for Building Permit No. AG01022 – George T. Uriarte and Tana K. Uriarte (APN 042-030-014-000/15030 Sutter Creek Road).
- B. **Building Department:** Approval of a resolution authorizing recordation of Agreement to Construct a *Limited Density Owner-Built Rural Dwelling* – Michael F. Collier Building Permit #LD01003 (APN 014-150-038-000).
- C. **Surveying and Engineering:** Approval of a resolution approving Parcel Map No. 2845 for *Del Rapini Construction, Inc.*, a California Corporation and Delbert E. Rapini, Trustee of the Delbert E. Rapini 2003 separate property Trust UDT dated August 20, 2003. (Pulled and placed on Regular Agenda)
- D. **Administrative Agency:** Approval of a resolution requesting a proclamation recognizing September as “*Childhood Cancer Awareness Month*” in Amador County.

4. **AGREEMENTS**

- A. **General Services Administration:** Approval to award RFP No. 14-18 Contract Services for *Implementation of Independent Living Program*, authorize the HHS Director, and County Counsel to negotiate final terms and conditions and develop a contract based upon Sample Agreement and approve the Board Chairman to execute agreements for the program.
- B. **General Services Administration:** Approval to award RFP No. 14-13 to A-TCAA for System Improvement Plan (SIP) services for all three (3) components CAPIT–not to exceed \$55,500.00, CBCAP–not to exceed \$13,800.00, PSSF–not to exceed \$13,700.00;

and authorize the HHS Director, and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, A-TCAA's proposals dated June 5, 2014 and RFP No. 14-13.

- C. **Human Resources:** Approval of an agreement between the County of Amador and Liebert Cassidy Whitmore (LCW) for *Gold Country Employment Relations Consortium* relative to five (5) days of group training workshops covering employment relations subjects.
- D. **Health and Human Services:** Approval of Memorandum of Understanding between *California Health and Wellness Plan* and Amador County Health & Human Services to facilitate coordination of services separately arranged and delivered by Amador County and CHWP for those Medi-Cal individuals who are assigned to CHWP.
- E. **Health and Human Services:** Approval of a First Amendment to original agreement (9/24/13) with *The Resource Connection* of Amador and Calaveras Counties, Inc. to administer community support for older adults who are parenting their grandchildren in Amador County.
- F. **Health and Human Services:** Approval of a Second Amendment to original agreement (10/23/12) with *Willow Glenn Care Center* who will provide mental health residential treatment services to mentally disabled adults and the mentally disabled elderly clients of Amador County for fiscal year 2014/2015.
- G. **Health and Human Services:** Approval of a *Baby Welcome Wagon* Home Visiting Grant Agreement between Amador County Public Health and First 5 Amador in the amount of \$120,000.00 over a three-year period for a universal home visiting program providing families with information regarding parenting.
- H. **Health and Human Services:** Approval of a First Amendment to original agreement (3/26/14) with *Maxim Staffing Solutions* for Registered Nursing Services due to extended family leaves for registered nurse employee not to exceed \$60,000.00.
- I. **Health and Human Services:** Approval of a Services Agreement with *Davis Rest Home, Inc.* to provide residential care facility to our Amador County psychiatric adult clients in an amount not to exceed \$150,000.00 for fiscal year 2014-2015.
- J. **Health and Human Services:** Approval of a Memorandum of Understanding between *California Health and Wellness Plan* and County of Amador for the purpose to describe the responsibilities of the County through its Mental Health Plan (MHP) and CHWP in the delivery of specialty mental health services.
- K. **Health and Human Services:** Approval of an agreement between *Operation Care* and Amador County Behavioral Health Services effective July 1, 2014 through June 30, 2015.
- L. **Health and Human Services:** Approval of a First Amendment to original agreement (dated 9/12/13) between Amador County Behavioral Health Department and *Amador Community College Foundation* to administer scholarship funding for students with a demonstrated financial need.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

- A. **Health and Human Services:** Approval of a request to hire one (1) Eligibility Worker III due to employee accepting another position in Social Services. This is a Merit Systems position and must be hired through the Merit Systems Process.

8. **GENERAL CORRESPONDENCE**

- A. A Notice of Location Change from the *State Fish and Game Commission* for Discussion/Adoption Hearings relocated to the Double Tree by Hilton Golf Resort San Diego to discuss and possible adoption of the following:

- Upland Game Bird Hunting Regulations
- Waterfowl Hunting Regulations
- Use of Tiger Salamander as Bait
- Take of Rare Plants
- Pacific Hagfish Trap Regulation
- Commercial Herring Fishery

For additional information, please refer to the appropriate Notice Register on-line at www.oal.ca.gov

- B. A Notice of Receipt of Petition from the *State Fish and Game Commission* to list the flat-tailed horned lizard (*Phrynosoma Mcallii*) as endangered under the California Endangered Species Act. Interested parties may contact Ms. Laura Patterson, (DFW) 916-341-6981.
- C. A notice from the *Central Valley Regional Water Quality Control Board* relative to a Public Meeting scheduled on August 7 and 8, 2014. Board agendas and the approved minutes of Board meetings are posted on the Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/
- D. Memorandum from the Building Department relative to a recap of activity during the month of June 2014 totaling \$38,657.62.
- E. Auditor's check register dated July 9, 2014, totaling \$ 243,081.25.
- F. Auditor's check register dated July 21, 2014, totaling \$ 437,933.18.

THEODORE F. NOVELLI, Chairman
Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, August 12, 2014
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Theodore F. Novelli, Chairman, District III
Brian Oneto, Vice-Chairman, District V
Richard M. Forster, Supervisor, District II
John Plasse, Supervisor, District I

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Jennifer Burns, Clerk of the Board

Absent: Louis D. Boitano, Supervisor, District IV (vacation)

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Supervisors. Any packets prepared by County Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

PLEDGE OF ALLEGIANCE: Chairman Novelli led the Board and the public in the *Pledge of Allegiance*

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). **At 8:30 a.m., the Board convened into closed session.**

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Scott Kasper, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units

ACTION: Nothing to report.

Conference with County Counsel - Existing Litigation [Government Code 54956.9(a)]: County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)

ACTION: Update only.

County of Amador v. Department of the Interior, Ken Salazar, Secretary of the Interior; et al, In the United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

ACTION: Update only.

Service Employees International Union, Local 1021 v. County of Amador and ACEA, Public Employment Relations Board, State of California, Case No. SA-CE-861-M

ACTION: Update only.

Gerardo Gonzalez, Jose Guzman, Hector Garcia, Joshua Garcia v Joselyn Dunklee, County of Amador, et al, Superior Court of California, County of Amador, Case No. 13-CV-8207

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to accept the settlement offer in the amount of \$25,000.00.

Ayes: Supervisors Plasse, Forster, Novelli and Oneto

Noes: None

Absent: Supervisor Boitano

Conference with County Counsel – Potential Litigation [Government Code 54956.9(b)]: Buena Vista Rancheria [Government Code 54956.9 (b)]

ACTION: Update only.

Claim of Edward Harden

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to deny the subject claim due to liabilities and damages of the County being disputed.

Ayes: Supervisors Forster, Plasse, Novelli and Oneto

Noes: None

Absent: Supervisor Boitano

Confidential Minutes: Review and approval of the confidential minutes of July 29, 2014.

ACTION: The confidential minutes of July 29, 2014 will be held over for approval at a future meeting.

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Chairman Novelli reported the following issues were reviewed in closed session:

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

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to approve the agenda as amended above.

Ayes: Supervisors Forster, Oneto, Novelli and Plasse

Noes: None

Absent: Supervisor Boitano

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per person.

Veterans Assistance: Chairman Novelli advised Amador County Veterans Service Officer Terry Sanders and Jason Mulford of Victory Village are facilitating an event at the Jackson City Hall today wherein information relative to employment opportunities, education options and general assistance for Veterans is being offered.

CONSENT AGENDA: Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

Chairman Novelli advised due to the Consent Agenda not being included in the Board packet for today's date, the Consent Agenda will be held over for approval until after the 10:30 Public Hearing today to allow the Board an opportunity to review the Consent items prior to approval.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to hold approval of the Consent Agenda over for approval until after the 10:30 Public Hearing today.

REGULAR AGENDA

Jail Property Assessment: Discussion and possible action regarding utilizing AB900 funds for jail construction.

Sheriff Martin Ryan addressed the Board and provided a brief timeline of the Sheriff's Office involvement in the AB900 process since its inception in 2007.

Mr. Jon Hopkins, General Services Director, advised the Jail Committee met twice and concluded a multitude of challenges existed with utilizing AB900 funds. These challenges include:

1. Analysis from CGL verified project is over budget;
2. The AB900 scope approved by the State may not be changed;
3. County's financial position has not changed and expenditures are expected to exceed revenues;
4. Combination of increased costs, further staff reductions and program cuts cannot be absorbed at this time;
5. Funding source for construction has not been identified (i.e. bond, COP, direct lending, etc.);
6. Inability to establish a reserve fund;
7. Insufficient funding for additional operational and staff costs;
8. Upon vacancy, no maintenance or capital improvement plan for the existing jail;
9. Depletes funding for future capital improvement projects;
10. Existing program exceeds needs;
11. Adding to existing debt service potentially exhausts County's equity;

Mr. Hopkins stated a response to the Board of State and Community Corrections regarding the use of AB900 funds is needed no later than August 28, 2014 in order to be placed on the State's agenda for the September 11th BSCC meeting.

Lengthy discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to authorize the Chairman's signature on a letter to the Board of State and Community Corrections informing them that the Amador County Board of Supervisors has decided to relinquish the County's AB900 Phase I Conditional Award of \$22.7 million dollars; and direction was given to staff to move forward collaboratively with the Sheriff to develop an alternative strategy for the necessary jail improvements and/or expansion.

Ayes: Supervisors Forster, Plasse, Oneto and Novelli

Noes: None

Absent: Supervisor Boitano

Secure Rural Schools Act: Discussion and possible action relative to recommendations for funding allocations and projects under Title III of the Secure Rural Schools Act.

Mr. Steve Bonner, President of the Amador Fire Safe Council (AFSC), addressed the Board and advised the AFSC is in transition at this time and is not prepared to present a viable project for the 2013 Title III monies and requested this matter be postponed until after the next AFSC meeting which will be August 20, 2014.

Mr. John Hofmann, County Consultant, stated the deadline to allocate and obligate the Title III funding is September 30, 2014, however a 45 day public comment period needs to be included in that timeframe which means a decision would need to be made today.

In light of the AFSC not having a viable project to propose today, Undersheriff Jim Wegner respectfully requested the Board allocate the 2013 Title III funds to the Amador County Sheriff's Office Search and Rescue Program.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to allocate 2013 Title III monies in the amount of \$46,159.36 to the Amador County Sheriff's Office Search and Rescue Program.

Ayes: Supervisors Plasse, Forster, Novelli and Oneto

Noes: None

Absent: Supervisor Boitano

Minutes: Discussion and possible action relative to review and approval of the July 29, 2014 Board of Supervisors Meeting Minutes.

ACTION: Approval of the July 29, 2014 Board of Supervisors Meeting Minutes will be held over for approval at a future meeting.

****10:30 A.M.****

PUBLIC HEARING

Community Development Agency-Waste Management: Discussion and possible action relative to a public hearing to consider protests in response to a Proposition 218 notification letter, regarding proposed rate increases requested by ACES Waste Services Inc., sent by the Waste Management Department to all affected customers.

Supervisor Plasse recused himself from discussion relative to the following matter due to a perceived conflict of interest that could result do to a close family member being employed by ACES Waste Services Inc.

Mr. Jim McHargue, Solid Waste and Safety Program Director, addressed the Board and summarized this item.

Chairman Novelli opened the public hearing at this time. The following individual wished to speak relative to this matter.

Mr. Earl Seversen, expressed concern relative to the vacation credit policy provided by ACES. He stated he would like to see the vacation policy be set at two weeks rather than the four weeks as it is not.

Mr. Paul Molinelli Jr., responded by stating in fact the vacation credit policy is currently set at two weeks. He advised he would work on getting notices out to customers to clarify the policy.

ACTION #1: Public Hearing continued pursuant to the following motion.

MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to continue the public hearing specific to adopting the new rates to August 26, 2014 at 10:30 a.m.

Ayes: Supervisors Forster, Oneto and Novelli

Noes: None

Recused: Supervisor Plasse

Absent: Supervisor Boitano

CONSENT AGENDA: Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

Supervisor Plasse requested the following item be pulled from the Consent Agenda for discussion:

Health and Human Services: Approval of State Agreement No. 14-10492 for Fiscal Years 2014-2017 *CDC Public Health Emergency Preparedness*, State General Fund Pandemic Influenza and the Hospital Preparedness Program Funding.

Supervisor Plasse requested this matter be held over to a future meeting and have Public Health staff present and prepared to report on what the expenditures under the CDS Public Health Emergency Preparedness, State General Fund Pandemic Influenza and the Hospital Preparedness Program Funding are.

Chairman Novelli requested the following item be pulled from the Consent Agenda for discussion:

Health and Human Services: Approval of a formal agreement between *Mountain-Valley Emergency Medical Services Agency* and Amador County on functions to be performed for County by EMS Agency Staff for fiscal year 2014-2015.

Chairman Novelli requested this matter be placed on the next Board agenda for discussion relative the necessity of a formal agreement with Mountain Valley Emergency Medical Services Agency as opposed to the County taking control of local emergency service entities.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster , seconded by Supervisor Plasse and unanimously carried to approve the Consent Agenda as amended above.

Ayes: Supervisors Forster, Plasse, Oneto and Novelli

Noes: None

Absent: Supervisor Boitano

ADJOURNMENT: Until Tuesday, August 26, 2014, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

August 12, 2014

NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

1. **BUDGET MATTERS** None

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Administrative Agency:** Approval of a resolution relative to Salaries and Fringe Benefits for Management Employees.
- B. **Human Resources:** Approval of a resolution relative to the New Employee Orientation Policy that has been revised.
- C. **Auditor-Controller:** Approval of two (2) resolutions relative to the following tax rates:
 - Approval to adopt a one percent (1%) Tax Rate per Government Code Section 29100.
 - Approval to adopt a point zero one five five percent (.0155%) Tax Rate per Government Code Section 29100.
- D. **Surveying & Engineering:** Approval of a resolution issuing two (2) Certificates of Compliance to *Robert A. Bachich and Suzanne M. Bachich, Trustees* of the Bachich Family Revocable Trust under document dated April 20, 2007 for property located on the westerly side of State Route 49, approximately 3,000 feet southerly of the junction with Middle Bar Road, in the Scottsville area (APN 44-320-003- and a portion of 44-200-095).
- E. **Administrative Agency:** Approval of a resolution proclaiming a state of Local Emergency for wild land extreme fire severity and fire fuels/biomass conditions throughout Amador County.

4. **AGREEMENTS**

- A. **General Services Administration:** Approval of a First Amendment to Agreement between the County of Amador and the *Amador Sawmill and Mining Association* regarding the Use and Restoration of Hangar 1 at the Amador County Airport.
- B. **General Services Administration:** Approval of a Construction Contract with R.A. Nemetz Construction Company, Inc. for Bid No. 14-04: *Bridge Preventative Maintenance Program at Camanche Road Bridge and Sutter Creek Road Bridge* in the amount of \$79,227.00.
- C. **General Services Administration:** Approval of a Second Amendment to original (12/4/12) Professional Engineering Services Agreement with *Cortright & Seibold* for the review and update of the Precision Approach Path Indicator (PAPI) system design, identification and design of obstructions (FAA FAR Part 77) for approach and departure to the runways.
- D. **General Services Administration:** Approval of a First Amendment to original (dated 8/13/13) Real Estate Broker/Consultant Services Agreement with *Coldwell Banker Awards Realtors* to perform and provide professional real estate broker and consulting services.
- E. **General Services Administration:** Approval to accept the work of *Hertzig* as completed for Sheriff's Office Overlay Project Bid ITB 14-14; authorize GSA Director to sign and record a Notice of Completion and authorize the Board Chairman to sign the three (3) Agreement and Release of Claims forms.
- F. **Health and Human Services:** Approval of State Agreement No. 14-10492 for Fiscal Years 2014-2017 *CDC Public Health Emergency Preparedness*, State General Fund Pandemic Influenza and the Hospital Preparedness Program Funding. (This item will be placed on the August 26, 2014 Regular Agenda for discussion.)
- G. **Health and Human Services:** Approval of a formal agreement between *Mountain-Valley Emergency Medical Services Agency* and Amador County on functions to be performed for County by EMS Agency Staff for fiscal year 2014-2015. (This item will be placed on the August 26, 2014 Regular agenda for discussion.)
- H. **District Attorney:** Approval of the application for *Victim/Witness Assistance Program* with California Office of Emergency Services for fiscal year 2014/2015.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

- A. **Health and Human Services:** Approval of a request to hire one (1) *CPS Social Worker I/II* and one (1) *APS Social Worker I/II*. These are Merit Systems positions and must be hired through the Merit Systems Process.

- B. **Health and Human Services:** Approval of a request to hire one (1) *Behavioral Health Care Clinician I* due to increased client caseload and inability to meet minimum mandatory benchmarks with current staff.
- C. **Environmental Services Joint Powers Authority:** Approval to designate a 2014 Delegate and Alternate to the *ESJP Authority*.

8. **GENERAL CORRESPONDENCE**

- A. An Application for *Alcoholic Beverage License* for Downhill Winery located at 16030 Highway 49, Drytown, CA 95669.
- B. Memorandum from the Environmental Health Department relative to a recap of activity during the month of July 2014 totaling \$10,857.09.
- C. Memorandum from the Building Department relative to a recap of activity during the month of July 2014 totaling \$10,173.36.
- D. Auditor's check register dated July 28, 2014, totaling \$ 3,348.81.
- E. Auditor's check register dated July 28, 2014, totaling \$ 289,114.81.
- F. Auditor's check register dated August 4, 2014, totaling \$ 252,157.58.

THEODORE F. NOVELLI, Chairman
Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy

AGENDA TRANSMITTAL FORM

<input type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
<input checked="" type="checkbox"/>	Public Hearing
Meeting Date Requested: <u>8-26-14</u>	

To: **Board of Supervisors**
 Date: August 6, 2014

From: Aaron Brusatori, P.E. Phone Ext. 248
 (Department Head - please type)

Department Head Signature *Aaron Brusatori*

Agenda Title: Public Hearing for Proposition 218 Protests of ACES Refuse Rate Adjustment request

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Public hearing to consider protests in response to Proposition 218 notification letter, regarding proposed rate increases requested by ACES Waste Services Inc., sent by the Waste Management Department to all affected customers.

Recommendation/Requested Action:
Conduct Public Hearing and make recommendation for ACES rate increase request

Fiscal Impacts (attach budget transfer form if appropriate) None Staffing Impacts _____

Is a 4/5ths vote required? Yes No

Committee Review? N/A

Name Public Works Committee
 Committee Recommendation: Take to Full Board

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Comments: _____

Request Reviewed by:
 Chairman *SPW* Counsel *GP*
 Auditor *EDJ* GSA Director *HOP*
 CAO _____ Risk Management *JM*

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 8/12/14 continued to 8/26/14 Item # 12

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___
 Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 Noes: _____ Resolution _____ Ordinance _____
 Absent: _____ Comments: _____

Distributed on _____
 Completed by _____
 of _____
 Department _____
 For meeting _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
 ATTEST: _____
 Clerk or Deputy Board Clerk

cc: All Super, CAO, CoCo -
Waste Mgmt.

Juan P. Diaz

BB OF SUPERVISORS

3119 Grapevine Gulch Road

2011 AUG 2 4 33 PM '10

Ione, Ca 95640

OFFICE OF THE SUPERVISOR

ADVISORY BOARD

Lot 75 (owner)

Attention BOS of Ione,

Due to the high volume of fixed incomes in this area of Lake Camanche I am against this Waste increase by Ace.

According to Jim McHargue at the county ACES has had the following rate increase/decrease %'s over the last 5 years.

2009- was a 4.83 increase

2010- remained the same

2011- was a .29 decrease

2012- was a 7.47 increase

2013- was a 1.31 decrease

2014 Proposed 3.82% increase

If you averaged the %'s over the last 6 years it comes to 2.95% per year. That doesn't seem like much but what I have noticed is that because we live in a lower income area it appears that several people are already having a problem paying the current monthly rate.

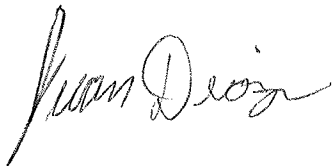
This area of Camanche Village is a very low income area. We proved that when we qualified for grants three years back through the water agency study. We are already having a terrible time with people



keeping junk/trash in their yards and more & more people are starting to store garbage in back of trucks and in trailers because it has gotten so expensive to take trash to the dump.

Another argument would be that we have larger lot sizes so we have a lot of yard waste. There should be a GREEN yard waste recycle can available at N/C for those that already pay for regular service.

I have filed complaints already with The Association. This has become a health hazard with rodents because of the trash. Garbage is stung all over with dogs dragging it out of the people's yard that don't have service. The next step would be to go to the county and file a complaint for Public Health Hazard. Last but not least are the overwhelming fly issues from this garbage. You can't have a BBQ because they carry your dinner away. I have sat down with a few homeowners that do get the service and their response is they will cancel their service, with the economy taking a hit with fuel increases, grocery increases etc. People that live on a fixed income's are already spread thin. So this increase will just add more fuel to the fire. Others say they will downgrade their service so Ace will not get the increase anyway. Thank you



**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING THE RATE) RESOLUTION NO. XX-XXX
INCREASE REQUEST FOR SOLID WASTE)
COLLECTION IN FRANCHISE AREA 1)

WHEREAS, the County of Amador (“County”) has granted to ACES Waste Services, Inc. (“ACES”) a franchise to collect solid waste in portions of the County; and

WHEREAS, pursuant to the franchise agreement the rates and charges imposed by ACES for collection of solid waste shall be set from time to time by resolution of the County’s Board of Supervisors after public notice and public hearing; and

WHEREAS, ACES has requested a rate increase for solid waste collection in Franchise Area 1 as describe on Attachment A attached hereto; and

WHEREAS, the County, in compliance with California Proposition 218, has provided specific notice to property owners/customers within Franchise Area 1 of the proposed increase and advised them of the opportunity to file a protest against the proposed fee increase; and

WHEREAS, out of the approximately 962 customers notified, the County received no written protests; and

WHEREAS, the proposed increase in rates for solid waste collection was reviewed, taking into account ACES’ service to customers, performance of other duties required by franchise agreement, profitability, administrative costs, operational costs, capital costs, and other appropriate financial matters, and was found to be justifiable; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California that said Board does hereby approve the rate increase request for solid waste collection in Franchise Area 1. The new rate schedule set forth in Attachment A shall be effective September 1, 2014 for garbage collection rates in Franchise Area 1.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 12th day of August 2014 by the following vote:

AYES:

NOES:

ABSENT:

Dear Property Owner/Customer:

This notice, dated June 20, 2014 explains proposed rates for refuse collection in County Franchise Area No. 1, served by ACES Waste Services, Inc. (ACES). These proposed rates will be recommended for adoption by the Amador County Board of Supervisors at the public hearing described in this notice. Rate adjustments are derived by using a waste industry-specific Refuse Rate Index (RRI). The RRI utilizes five (5) separate indices: labor, diesel fuel, vehicle replacement, vehicle maintenance, and CPI. This notice is being sent to provide you information about proposed new rates for residential and commercial refuse collection, and to provide information on procedures to be followed if you wish to protest the proposed rate increases.

Notice of Public Hearing

The Amador County Board of Supervisors will consider a rate increase of 4.02%, as described below, at a public hearing on August 12, 2014 at 10:30 a.m., or as soon thereafter as may be heard by the Board of Supervisors, in the Board Chambers, located at 810 Court Street, Jackson, California 95642. If approved, the proposed increase will be effective on September 1, 2014.

Why Change Rates?

Refuse collection rates in Franchise Area No. 1 were previously adjusted by (minus) 1.65% on July 1, 2013. The proposed rate increase is needed to reflect the increased costs of providing services.

The following tables list the existing rates and the proposed maximum new rates for residential and commercial collection:

RESIDENTIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
32-Gal. WEEKLY PICK-UP	\$20.96	\$0.84	\$21.80
64-Gal WEEKLY PICK-UP	\$28.10	\$1.13	\$29.23
96-Gal WEEKLY PICK-UP	\$35.23	\$1.42	\$36.65
COMMERCIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
1 - YARD BIN WEEKLY	\$75.41	\$3.03	\$78.44
2 - YARD BIN WEEKLY	\$139.06	\$5.59	\$144.65
3 - YARD BIN WEEKLY	\$200.96	\$8.08	\$209.04
4 - YARD BIN WEEKLY	\$264.22	\$10.62	\$274.84
6 - YARD BIN WEEKLY	\$396.33	\$15.93	\$412.26
7 - YARD BIN WEEKLY	\$462.39	\$18.59	\$480.98
ON CALL PER YARD	\$18.05	\$0.73	\$18.78
DEBRIS BOX HAUL CHARGE	\$125.18	\$5.03	\$130.21

Procedures for Commenting and Filing Written Protests

At the public hearing on August 12, 2014 the Board of Supervisors will consider all comments and objections, if any, to the proposed rate increases. Any person interested, including all persons owning property or customers served by ACES in Franchise Area No. 1, may appear and be heard as to whether the proposed rates are discriminatory or excessive, or any other matter relating to the rates proposed herein.

Written comments and/or protests should be addressed to: The Amador County Board of Supervisors, 810 Court Street, Jackson, CA 95642. All written protests must be submitted by the conclusion of the public hearing. The Board of Supervisors will count all written protests submitted prior to the conclusion of the public hearing. Both the owner of the parcel and the person receiving the service for which the fee is charged may submit a written protest but only one protest per parcel will be counted. A written protest must include (1) your original signature; (2) identification of the parcel by parcel number or address; (3) whether you are the owner of the parcel or the person receiving the service for which the fee is charged; and (4) your statement that you protest the proposed rate increases. Written protests will not be accepted by e-mail or by fax. Oral protests will not be counted.

If written protests against the proposed rate increases are received from a majority of owners affected, then the Board of Supervisors shall not impose the rate increases. All documents supporting the rate increase are on file at the office of the Clerk of the Board of Supervisors at the address listed above and are available for public review. Any questions regarding the information in this notice may be directed to Jim McHargue, Waste Management and Recycling Department at (209) 223-6429.

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING THE RATE) RESOLUTION NO. XX-XXX
INCREASE REQUEST FOR SOLID WASTE)
COLLECTION IN FRANCHISE AREA 2)

WHEREAS, the County of Amador (“County”) has granted to ACES Waste Services, Inc. (“ACES”) a franchise to collect solid waste in portions of the County; and

WHEREAS, pursuant to the franchise agreement the rates and charges imposed by ACES for collection of solid waste shall be set from time to time by resolution of the County’s Board of Supervisors after public notice and public hearing; and

WHEREAS, ACES has requested a rate increase for solid waste collection in Franchise Area 2 as describe on Attachment A attached hereto; and

WHEREAS, the County, in compliance with California Proposition 218, has provided specific notice to property owners/customers within Franchise Area 2 of the proposed increase and advised them of the opportunity to file a protest against the proposed fee increase; and

WHEREAS, out of the approximately 787 customers notified, the County received one (1) written protest; and

WHEREAS, the proposed increase in rates for solid waste collection was reviewed, taking into account ACES’ service to customers, performance of other duties required by franchise agreement, profitability, administrative costs, operational costs, capital costs, and other appropriate financial matters, and was found to be justifiable; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California that said Board does hereby approve the rate increase request for solid waste collection in Franchise Area 2. The new rate schedule set forth in Attachment A shall be effective September 1, 2014 for garbage collection rates in Franchise Area 2.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 12th day of August 2014 by the following vote:

AYES:

NOES:

ABSENT:

Dear Property Owner/Customer:

This notice, dated June 20, 2014, explains proposed rates for refuse collection in County Franchise Area No. 2, served by ACES Waste Services, Inc. (ACES). These proposed rates will be recommended for adoption by the Amador County Board of Supervisors at the public hearing described in this notice. Rate adjustments are derived by using a waste industry-specific "Refuse Rate Index (RRI). The RRI utilizes five (5) separate indices: labor, diesel fuel, vehicle replacement, vehicle maintenance, and CPI. This notice is being sent to provide you information about proposed new rates for residential and commercial refuse collection, and to provide information on procedures to be followed if you wish to protest the proposed rate increases.

Notice of Public Hearing

The Amador County Board of Supervisors will consider a rate increase of 3.82%, as described below, at a public hearing on August 12, 2014 at 10:30 a.m., or as soon thereafter as may be heard by the Board of Supervisors, in the Board Chambers, located at 810 Court Street, Jackson, California 95642. If approved, the proposed increase will be effective on September 1, 2014.

Why Change Rates?

Refuse collection rates in Franchise Area No. 2 were previously adjusted by (minus) 1.31% on July 1, 2013. The proposed rate increase is needed to reflect the increased costs of providing services.

The following tables list the existing rates and the proposed maximum new rates for residential and commercial collection:

RESIDENTIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
32-Gal. WEEKLY PICK-UP	\$19.30	\$0.74	\$20.04
64-Gal. WEEKLY PICK-UP	\$23.55	\$0.90	\$24.45
96-Gal. WEEKLY PICK-UP	\$28.91	\$1.10	\$30.01
COMMERCIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
1 - YARD BIN WEEKLY	\$80.34	\$3.07	\$83.41
2 - YARD BIN WEEKLY	\$132.68	\$5.07	\$137.75
3 - YARD BIN WEEKLY	\$199.08	\$7.60	\$206.68
4 - YARD BIN WEEKLY	\$265.10	\$10.13	\$275.23
6 - YARD BIN WEEKLY	\$397.68	\$15.19	\$412.87
7 - YARD BIN WEEKLY	\$464.02	\$17.73	\$481.75
ON CALL PER YARD	\$18.54	\$0.71	\$19.25
DEBRIS BOX HAUL CHARGE	\$211.15	\$8.07	\$219.22

Procedures for Commenting and Filing Written Protests

At the public hearing on August 12, 2014 the Board of Supervisors will consider all comments and objections, if any, to the proposed rate increases. Any person interested, including all persons owning property or customers served by ACES in Franchise Area No. 2, may appear and be heard as to whether the proposed rates are discriminatory or excessive, or any other matter relating to the rates proposed herein.

Written comments and/or protests should be addressed to: The Amador County Board of Supervisors, 810 Court Street, Jackson, CA 95642. All written protests must be submitted by the conclusion of the public hearing. The Board of Supervisors will count all written protests submitted prior to the conclusion of the public hearing. Both the owner of the parcel and the person receiving the service for which the fee is charged may submit a written protest but only one protest per parcel will be counted. A written protest must include (1) your original signature; (2) identification of the parcel by parcel number or address; (3) whether you are the owner of the parcel or the person receiving the service for which the fee is charged; and (4) your statement that you protest the proposed rate increases. Written protests will not be accepted by e-mail or by fax. Oral protests will not be counted.

If written protests against the proposed rate increases are received from a majority of owners affected, then the Board of Supervisors shall not impose the rate increases. All documents supporting the rate increase are on file at the office of the Clerk of the Board of Supervisors at the address listed above and are available for public review. Any questions regarding the information in this notice may be directed to Jim McHargue, Waste Management and Recycling Department at (209) 223-6429.

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING THE RATE) RESOLUTION NO. XX-XXX
INCREASE REQUEST FOR SOLID WASTE)
COLLECTION IN FRANCHISE AREAS 3 & 3-C)

WHEREAS, the County of Amador (“County”) has granted to ACES Waste Services, Inc. (“ACES”) a franchise to collect solid waste in portions of the County; and

WHEREAS, pursuant to the franchise agreement the rates and charges imposed by ACES for collection of solid waste shall be set from time to time by resolution of the County’s Board of Supervisors after public notice and public hearing; and

WHEREAS, ACES has requested a rate increase for solid waste collection in Franchise Areas 3 & 3-C as describe on Attachment A attached hereto; and

WHEREAS, the County, in compliance with California Proposition 218, has provided specific notice to property owners/customers within Franchise Areas 3 & 3-C of the proposed increase and advised them of the opportunity to file a protest against the proposed fee increase; and

WHEREAS, out of the approximately 4,200 customers notified, the county received no written protests; and

WHEREAS, the proposed increase in rates for solid waste collection was reviewed, taking into account ACES’ service to customers, performance of other duties required by franchise agreement, profitability, administrative costs, operational costs, capital costs, and other appropriate financial matters, and was found to be justifiable; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California that said Board does hereby approve the rate increase request for solid waste collection in Franchise Areas 3 & 3-C. The new rate schedule set forth in Attachment A shall be effective September 1, 2014 for garbage collection rates in Franchise Areas 3 & 3-C.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 12th day of August 2014 by the following vote:

AYES:

NOES:

ABSENT:

Dear Property Owner/Customer:

This notice, dated June 20, 2014, explains proposed rates for refuse collection in County Franchise Area No. 3, served by ACES Waste Services, Inc. (ACES). These proposed rates will be recommended for adoption by the Amador County Board of Supervisors at the public hearing described in this notice. Rate adjustments are derived by using a waste industry-specific "Refuse Rate Index (RRI). The RRI utilizes five (5) separate indices: labor, diesel fuel, vehicle replacement, vehicle maintenance, and CPI. This notice is being sent to provide you information about proposed new rates for residential and commercial refuse collection, and to provide information on procedures to be followed if you wish to protest the proposed rate increases.

Notice of Public Hearing

The Amador County Board of Supervisors will consider a rate increase of 4.19%, as described below, at a public hearing on August 12, 2014 at 10:30 a.m., or as soon thereafter as may be heard by the Board of Supervisors, in the Board Chambers, located at 810 Court Street, Jackson, California 95642. If approved, the proposed increase will be effective on September 1, 2014.

Why Change Rates?

Refuse collection rates in Franchise Area No.3 were previously adjusted by (minus) 2.30% on July 1, 2013. The proposed rate increase is needed to reflect the increased costs of providing services.

The following tables list the existing rates and the proposed maximum new rates for residential and commercial collection:

RESIDENTIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
32-Gal. WEEKLY PICK-UP	\$26.49	\$1.11	\$27.60
64-Gal. WEEKLY PICK-UP	\$34.05	\$1.43	\$35.48
96-Gal. WEEKLY PICK-UP	\$35.78	\$1.50	\$37.28
COMMERCIAL SERVICE	Current Monthly Rate	Proposed Increase	New Monthly Rate
1 - YARD BIN WEEKLY	\$103.84	\$4.35	\$108.19
2 - YARD BIN WEEKLY	\$174.71	\$7.32	\$182.03
3 - YARD BIN WEEKLY	\$263.69	\$11.05	\$274.74
4 - YARD BIN WEEKLY	\$349.52	\$14.64	\$364.16
6 - YARD BIN WEEKLY	\$478.50	\$20.05	\$498.55
7 - YARD BIN WEEKLY	\$558.42	\$23.40	\$581.82
ON CALL PER YARD	\$23.01	\$0.96	\$23.97
DEBRIS BOX HAUL CHARGE	\$196.12	\$8.22	\$204.34

Procedures for Commenting and Filing Written Protests

At the public hearing on August 12, 2014 the Board of Supervisors will consider all comments and objections, if any, to the proposed rate increases. Any person interested, including all persons owning property or customers served by ACES in Franchise Area No. 3, may appear and be heard as to whether the proposed rates are discriminatory or excessive, or any other matter relating to the rates proposed herein.

Written comments and/or protests should be addressed to: The Amador County Board of Supervisors, 810 Court Street, Jackson, CA 95642. All written protests must be submitted by the conclusion of the public hearing. The Board of Supervisors will count all written protests submitted prior to the conclusion of the public hearing. Both the owner of the parcel and the person receiving the service for which the fee is charged may submit a written protest but only one protest per parcel will be counted. A written protest must include (1) your original signature; (2) identification of the parcel by parcel number or address; (3) whether you are the owner of the parcel or the person receiving the service for which the fee is charged; and (4) your statement that you protest the proposed rate increases. Written protests will not be accepted by e-mail or by fax. Oral protests will not be counted.

If written protests against the proposed rate increases are received from a majority of owners affected, then the Board of Supervisors shall not impose the rate increases. All documents supporting the rate increase are on file at the office of the Clerk of the Board of Supervisors at the address listed above and are available for public review. Any questions regarding the information in this notice may be directed to Jim McHargue, Waste Management and Recycling Department at (209) 223-6429.

Garbage Rate Adjustments (%)													
REFUSE RATE ADJUSTMENTS (%)													
	AREA 1	AREA 2	AREA 3	PGTS	BVTS								
2014*	4.02	3.82	4.19	1.07	2.64								
2013	-1.65	-1.31	-2.3	0.00[0.13]	-1.4								
2012	-1.93	7.47	-1.96	10.0[14.05]	-0.93								
2011	2.13	{-0.29}	{-1.40}	2.51	1.69								
2010		{1.56}	{1.80}	6.67	4.91								
2009	3.91	4.83	7.75										
2008	10.48	16.8	11.38										
2007			14.6										
2006	2.5 fuel	2.5 fuel	2.5 fuel										
2005	4.81	4.81	4.81	7.40/ton~	7.40/ton~								
2004													
2003													
*2014 proposed adjustments for 10 month rate year													
[adjustments not implemented]													
~county host fee													
{carried to next year}													

Refuse Collection Rate Adjustments

Handling Rate Requests?

- Periodically
- Annually
- CPI Adjustment
- Special Adjustment Only (Fuel, Workers Comp., Insurance, etc...)
- Thorough (Detailed) Review
- \$\$\$\$\$

Rate Adjustment Methodology The RAM

➤ Hybrid Model : cost-based & indexed review

Year 1: Detailed Expense & Revenue Review

Years 2 & 3: Refuse Rate Index (RRI)

RAM

- The detailed cost-based (thorough) review is used to begin the process. Rate Year 1
- The following two years are index-based (RRI). The index is composed of 5 separate indices: labor, diesel fuel, vehicle maintenance, vehicle replacement, and CPI (all items).
- Disposal is based upon actual costs.

Date: August 12, 2014

Parcel #: 023-660-035-000

Owner and persons receiving Service: Harold J. and Margene W. Severson.

We are opposed to this rate increase. A few years ago we brought to the attention of the Board a vacation policy of ACES that had changed from: you had to be gone two weeks to request a credit on your monthly fee to three weeks and then to four weeks (the entire monthly rate) without any notice of change to the customers or to the County. This policy was never in the contract with the county (and may still not be - unknown ?).

The current three week vacation credit policy is still unreasonable and excessive especially to Seniors who go on more vacations - especially one and two weeks. I know of no other company or service who charges a monthly rate and collects money for weekly services not rendered. The policy should be changed to two weeks.

There may even be a conflict of interest by the County Board of approving a rate increase or change in policy from three weeks to two week's vacation credit, and be able to get a credit for being gone two weeks.


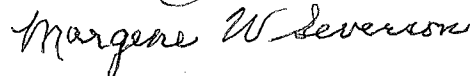
The County receives 2 percent of your monthly ACES bill for waste disposal as a "franchise fee" to support the county's operating budget. By approving a change from three weeks to two weeks in the vacation credit it would mean the county's "fee" would be decreased because the income of ACES would be decreased.

Likewise, an increase in the proposed rates to go into effect September 1, 2014 will increase the amount of money the County will receive. Not much motive to not consider a rate increase or make it easier for people to protest!

We are sure there will be very few in the county that will write a letter objecting to a rate increase so the rate increase is automatic.

Sincerely,

Harold J. Severson and Margene W. Severson

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: August 4, 2014

From: Susan Grijalva
(Department Head - please type)

Phone Ext. 380

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>08/26/14</u>	

Department Head Signature *Susan Grijalva*

Agenda Title: Public Hearing - Budderman Living Trust zone change request from "M" Manufacturing zone district to "R1A," Residential Single Family and Agricultural District.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Consideration of Planning Commission's recommendation to approve a request for a zone change from "M" Manufacturing district to "R1A," Residential Single Family and Agricultural district for 17.19 acres located along Charleston Road approximately 0.6 miles north of Volcano.

Recommendation/Requested Action:
Adopt an ordinance approving the zone change from "M" to "R1A."

Fiscal Impacts (attach budget transfer form if appropriate) _____
 Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Committee Review? N/A <input type="checkbox"/>	Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Name <u>Planning Commission</u>	Ordinance Attached: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Committee Recommendation: <u>Approval</u>	Comments: _____

Request Reviewed by:

Chairman _____	Counsel <u>GG</u>
Auditor <u>[Signature]</u>	GSA Director <u>hop</u>
CAO <u>[Signature]</u>	Risk Management <u>[Signature]</u>

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)
Planning, Assessor

FOR CLERK USE ONLY

Meeting Date <u>8/26/14</u>	Time _____	Item # <u>13</u>
Board Action: Approved Yes ___ No ___	Unanimous Vote: Yes ___ No ___	
Ayes: _____	Resolution _____	Ordinance _____
Noes: _____	Resolution _____	Ordinance _____
Absent: _____	Comments: _____	Other: _____

Distributed on _____	A new ATF is required from _____ Department _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____	For meeting of _____	

STAFF REPORT TO: AMADOR COUNTY BOARD OF SUPERVISORS
FOR MEETING OF: AUGUST 26, 2014

**PUBLIC HEARING – REQUEST FOR ZONE CHANGE FROM THE “M,”
MANUFACTURING DISTRICT TO THE “R1A,” SINGLE FAMILY RESIDENTIAL &
AGRICULTURAL DISTRICT (APN: 030-020-105).**

APPLICANT: Budderman Living Trust
SUPERVISORIAL DISTRICT V

LOCATION: Charleston Road approximately 0.6 miles north of Main Street in Volcano

- A. DESCRIPTION:** This application is a request for a Zone Change to allow for future residential use. The 17.19-acre site is a portion of a former gold mine and limestone quarry, though those uses have been idle for decades. The proposed zoning district is supported by the current General Plan designation of A-M, Agricultural-Marginal, as well as the proposed General Plan designation of A-G, Agricultural-General.
- B. STAFF REVIEW:** This project was reviewed by County departments which found no technical objections to the Planning Commission recommending approval of the Zone Change to the Board of Supervisors along with the adoption of a Notice of Exemption.
- C. PLANNING COMMISSION ACTION:** The Planning Commission, during its June 10, 2014 meeting, unanimously recommended to the Board of Supervisors that the request be approved, along with a Categorical Exemption as the appropriate environmental document.
- D. BOARD ACTION:** If the Board of Supervisors approves the zone change, the following findings are recommended for adoption:

Findings:

1. The Zone Change is consistent with the surrounding land uses and the Amador County General Plan, Land Use Element at this location; and,
2. A review of the proposal was conducted by staff who, through their own research, found that the Zone Change will not have a significant effect on the environment and is Categorically Exempt from CEQA per Section 15183. Therefore, a Notice of Exemption will be adopted and filed with the County Recorder.

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING SECTIONAL ZONING DISTRICT MAP NO. N-201 PURSUANT TO SECTION 19.20.020 OF THE AMADOR COUNTY CODE BY REZONING CERTAIN REAL PROPERTY FROM THE "M," MANUFACTURING DISTRICT TO THE "R1A," SINGLE FAMILY RESIDENTIAL AND AGRICULTURAL DISTRICT.

The Board of Supervisors of the County of Amador, State of California, do ordain:

SECTION I. Recitals of Fact.

WHEREAS, Chapter 19.68 (Amendments) of the Amador County Code provides for a procedure to amend Title 19 (Zoning) or to rezone property in Amador County; and

WHEREAS, rezoning requires an ordinance amending Sectional Zoning District Maps established in accordance with Section 19.20.020 of Title 19 (Zoning); and

WHEREAS, all notices and public hearings mandated by the State Planning Law and Title 19 (Zoning) of the Amador County Code have been adhered to by the Amador County Planning Commission and Board of Supervisors; and

WHEREAS, the Board of Supervisors adopts this ordinance with the findings contained in the pertinent Board minutes and because the public necessity, convenience, and general welfare require such an amendment.

SECTION II. Section 19.20.020 of the Amador County Code is amended by amending Sectional Zoning District Map No.N-201 (Z.C. No. 14;4-2) to change the zoning from the "M." Manufacturing District to the "R1A," Single Family Residential and Agricultural District, on that certain real property being approximately 17.19 acres located along Charleston Road approximately 0.60 miles north of the intersection Main Street and Consolation Street in Volcano, and specifically described in Exhibit A, which is attached hereto and incorporated by reference.

SECTION III. This ordinance or a summary thereof shall be published in the manner prescribed in Government Code Section 25124 and shall become effective upon recordation of the California Land Conservation Act contract on the subject parcel or thirty days after the date hereof, whichever period is greater.

The foregoing ordinance was duly passed and adopted at a regular session of the Board of Supervisors of the County of Amador, held on the 26th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

CHAIRMAN, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

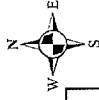
By _____

(ORDINANCE NO. XXXX)

(XX/XX/XX)

Budderman Location Map

- ⊙ Cities and Communities
- Transportation
 - One Way Road
 - Primary Road
 - Secondary Road
 - County Route
 - State Highway
 - - - Unimproved Road
- Administrative Boundaries
 - City Limits
 - Amador County Boundary
 - Parcels



1" = 671 ft

Aerial photography, if displayed,
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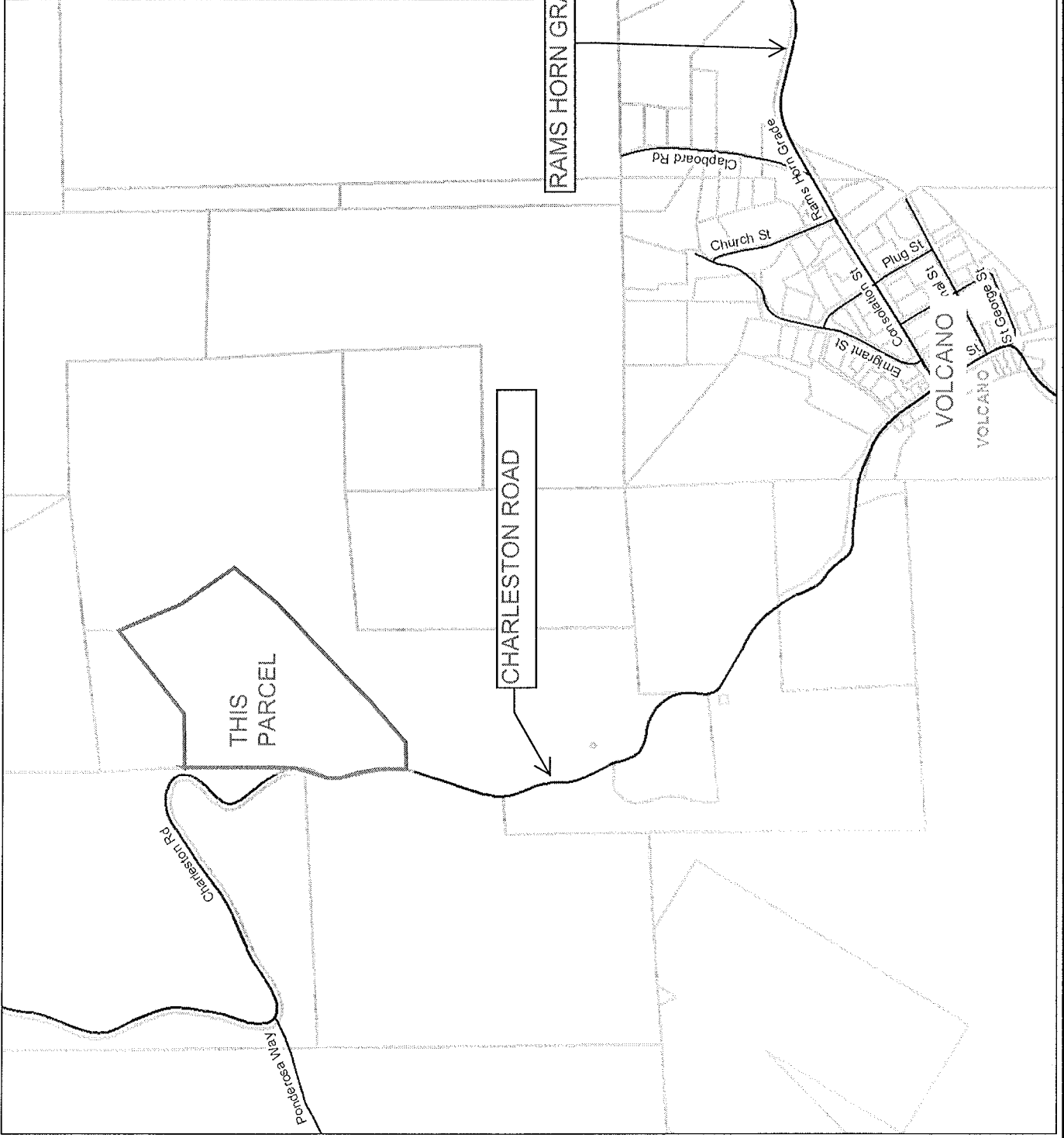
Notes



The County of Amador assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County Office.

Amador County GIS Viewer
Amador County Information Technology Dept.
810 Court St. Jackson CA 95822

May 28, 2014



The Planning Commission of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chairman Tober.

THOSE PRESENT WERE:

Planning Commissioners: Ray Lindstrom, District I
Dave Wardall, District II
Denise Tober, District III, Chairman
Andy Byrne, District IV
Ray Ryan, District V

Staff: Greg Gillott, County Counsel
Susan C. Grijalva, Planning Director
Chuck Beatty, Planner III
Heidi Jacobs, Recording Secretary

NOTE: The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

- A. **Pledge of Allegiance.**
- B. **Approval of Agenda:** It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to approve the agenda as presented.
- C. **Minutes:** It was moved by Commissioner Lindstrom seconded by Commissioner Byrne, and carried to approve the minutes of May 13, 2014 as submitted.
- D. **Correspondence:** None.
- E. **Public Matters not on the Agenda:** None.
- F. **Recent Board Actions:** Chuck Beatty, Planner III, announced the Board of Supervisors approved the Howard Zone Change and denied the Murray Variance request.

Public Hearings

- ITEM 1 - Request for Zone Change from the "M," Manufacturing District to the "R1A," Single Family Residential & Agricultural District (APN: 030-020-105).
APPLICANT: Budderman Living Trust
SUPERVISORIAL DISTRICT V
LOCATION: Charleston Road approximately 0.6 miles north of Main Street in Volcano.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Chairman Tober opened the public hearing. The applicant was available for questions.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to close the public hearing.

Commissioner Lindstrom stated he saw no problem with request.

Commissioner Byrne asked if this would be in effect a “down-sizing” because the residential impacts would be less than the manufacturing impacts. Mr. Beatty stated that is correct.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Ryan and unanimously carried to find the project is categorically exempt based on the findings contained in the staff report.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Ryan and unanimously carried to recommend approval of the zone change to the Board of Supervisors.

NOTE: Chuck Beatty, Planner, announced the Planning Commission recommended approval of the zone change to the Board of Supervisors. This item will be scheduled for a future Board meeting and notices will be mailed out.

ITEM 2 - Use Permit application submitted by Victory Village to operate a 20-bed Transitional Housing facility in the former Amador Motel (APN 044-040-028).

APPLICANT: Victory Village – Jason Mulford, President

SUPERVISORIAL DISTRICT I

LOCATION: 12408 Kennedy Flat Road, approximately 150 feet south of the intersection of Hwy 88 in the Jackson area.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Jason Mulford, applicant, was available for questions.

Commissioner Ryan asked who the primary target population is. Mr. Mulford stated the primary purpose is to serve veterans and their families.

Commissioner Ryan asked how the program is funded. Mr. Mulford stated there are donations and stipends; about 20% of clients are available to pay for the space. There are also funds available from community development block grants, ATCCA assistance, prop?? Funding.

Commissioner Ryan asked about the occupancy rate. Mr. Mulford stated it averages 80% and increases to 100% in winter months.

Commissioner Ryan asked if the clients are transients or locals, if they are looking to in the community or work. Mr. Mulford stated the majority come from the community; they have been couch surfing, living in a car or the woods. They help the client obtain assessments from Veterans Administration, ATCAA, job connection to evaluate available benefits, job and career opportunities. Mr. Mulford stated three veterans have joined the local college and are doing well.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to close the public hearing.