

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: October 7, 2015

From: Aaron Brusatori
(Department Head - please type)

Phone Ext. 248

<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>10/13/15</u>	

Department Head Signature *Aaron Brusatori*

Agenda Title: Resolution 15-XXX re: SR88 Corridor Improvement Project - Revised Phasing and Funding Strategy and Presentation

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Staff has been working with ACTC and our consultant team to revise the phasing and funding strategy that has been developed for the SR88 Corridor Improvement Project. The consultant team has evaluated the entire project in effort to reduce costs and develop a project that fits within the environmental limits along with evaluating additional funding opportunities.

The Consultant Team will be making a presentation to the Board of Supervisors and answering questions. Upon conclusion of the presentation, staff requests that the board adopt a Resolution 15-XXX in supporting moving forward with programming of funding for the PS&E phase of the project.

Requested Decision - Board adoption of Resolution 15-XXX supporting the progress to date and moving forward with programming \$1.6M for PS&E.

Recommendation/Requested Action:
Adopt Resolution 15-XXX

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

Is a 4/5ths vote required? Yes No

Committee Review? Name _____ N/A

Committee Recommendation: _____

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

Request Reviewed by:

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

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

FOR CLERK USE ONLY

Meeting Date _____ Time _____ Item # 5

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 _____		

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

IN THE MATTER OF:

RESOLUTION OF SUPPORT TO CONTINUE WITH)
REFINEMENT OF THE PHASING AND FUNDING)
STRATEGY AND RECOMMEND THE ALLOCATION) RESOLUTION NO. 15-XXX
OF \$1,610,000 IN RIP FUNDS TO DEVELOP THE)
PLANS SPECIFICATIONS AND ESTIMATES PHASE OF)
THE STATE ROUTE 88/ PINE GROVE CORRIDOR)
IMPROVEMENT PROJECT INCORPORATING)
PRIORITY DESIGN COMPONENTS IDENTIFIED IN)
THE REFINED PHASING AND FUNDING STRATEGY)
EFFORT.

WHEREAS, the proposed State Route 88 / Pine Grove Corridor Improvement Project will modify the existing highway and adjacent local roads to improve operations, alleviate congestion, improve transportation facility standards, and enhance safety; and

WHEREAS, the Board of Supervisors adopted Resolution #15-014, to initiate plans, specifications and estimate phase for the State Route 88 / Pine Grove Corridor Improvement Project upon completion of the Project Approval and Environmental Document; and

WHEREAS, pursuant to Streets and Highways Code sections 114 and 130, the County of Amador may enter into a Cooperative Agreement with the State of California for improvements to the State Highway System within the County of Amador's jurisdiction; and

WHEREAS, the proposed State Route 88 / Pine Grove Corridor Improvement Project is within the County of Amador's jurisdiction; and

WHEREAS, in accordance with Senate Bill 45, the Amador County Transportation Commission is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to California Government Code Section 14527, for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

WHEREAS, the County of Amador is a member agency of the Amador County Transportation Commission; and

WHEREAS, the Amador County Board of Supervisors recommends allocation of \$1,610,000 of Regional Improvement Program funds for the purposes of completing Plans, Specifications, and Estimate for the State Route 88 / Pine Grove Corridor Improvement Project; and

WHEREAS, the Amador County Board of Supervisors recommends programing \$3,951,000 of Regional Improvement Program funds for the purposes of completing Right-of-Way Acquisition for the State Route 88 / Pine Grove Corridor Improvement Project; and

WHEREAS, as a member agency of the Amador County Transportation Commission, the County of Amador intends to assume Implementing Agency status for the Plans, Specifications, and Estimate Phase of the State Route 88 / Pine Grove Corridor Improvement Project within the jurisdiction of the County of Amador; and

WHEREAS, the County of Amador and the Amador County Transportation Commission are currently and will continue to work cooperatively together towards completion and delivery of the State Route 88 / Pine Grove Corridor Improvement Project; and

WHEREAS, the County of Amador intends to enter into a Cooperative Agreement with the State of California for the design and construction of State Route 88 / Pine Grove Corridor Improvements at a later date.

NOW, THEREFORE, BE IT HEREBY RESOLVED the Board of Supervisors of the County of Amador, State of California, does hereby adopt a Resolution of support to continue with refinement of the phasing and funding strategy and recommend the allocation of \$1,610,000 in rip funds to develop the plans specifications and estimates phase of the state route 88/ pine grove corridor improvement project incorporating the priority design components identified in the refined phasing and funding strategy effort.

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 ____ day of October, 2015, by the following vote:

AYES:
NOES:
ABSENT:

CHAIRMAN, Board of Supervisors

ATTEST:

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

By

(RESOLUTION NO. 15-XXX)

(XX/XX/15)



Memorandum

To: Aaron Brusatori, Amador County
From: Matt Brogan, Mark Thomas & Company
Date: September 21, 2015
RE: State Route 88/Pine Grove Corridor Improvement Project – Refined Phasing and Funding Strategy

File: SA-15130

Executive Summary

Mark Thomas & Company (MTCo) has been working with Amador County and ACTC staff to perform informal value engineering and develop/evaluate potential cost saving design concepts along the SR 88 corridor in Pine Grove. This Refined Phasing and Funding work is based upon the information provided in the on-going PA&ED phase. This work has consisted of the following items.

- Developing an alternate and/or refined phased project to be consistent with the Purpose & Need from the PA&ED Phase.
- Addressing the criteria of the County Board of Supervisors, County staff, ACTC staff, and Caltrans.
- Evaluating and providing opinion on probable cost estimates for the entire project.
- Identifying design options or refinements with a goal of developing an alternate first phase project with a target total construction budget range between \$6 Million to \$12.5 Million.
- Identifying specific project components that could be phased logically and paired with outside funding sources.
- Identifying an alternate first phase project that could implement various improvements from Ridge Road to Tabeaud Road along SR 88 and remain within the total target construction budget range. This alternate first phase would need to meet the "independent utility" and "operating segment" criteria.
- Identifying future funding sources to ensure that the entire project is "financially constrained".

Over the last several months, the specific steps completed during this Refined Phasing and Funding Process have included:

1. Information Gathering- MTCo completed a review of the detailed information from the PA&ED phase (traffic analysis, geometrics, environmental studies) to understand the constraints of the SR 88 project site.
2. Preliminary Informal Value Engineering Concepts- Based on the information above, an initial list of potential Value Engineering items was developed. This included reviewing existing retaining

wall designs to determine if they could be reduced/eliminated, evaluating traffic analysis data to review intersection configurations at Climax Road, Ridge Road, Irishtown Road, Volcano Road, and Tabeaud Road, reviewing lane/shoulder widths throughout the corridor, and exploring options for modifications to off-site designs (such as Pine Grove Elementary).

3. Peer Review - The initial concepts were presented to a Peer Review Team; this consisted of County staff, ACTC staff, the MTCO design team, and senior level engineers within MTCO that are not associated with the project development activities. The purpose was to evaluate the current project scope and phasing, screen the initial concepts, provide additional informal value engineering and cost saving strategies and identify other potential solutions. The meeting was held on July 23, 2015 and focused on alternative designs for current elements (i.e. retaining walls, signal designs), construction costs (i.e. what a \$12.5 Million project might consist of), and long term project phasing and delivery for the entire corridor. The key to this approach is to understand that it is not a typical "Value Analysis" where new alternatives are reviewed and added during the PA&ED phase; rather, it was focused on specific elements of the project, how they will be constructed/funded, and how they will fit within the current project approval footprint.
4. Concept Refinement- Following the Peer review Meeting, the County and MTCO have reviewed detailed elements of the informal value engineering concepts, including traffic analysis, conceptual level geometrics, potential design exceptions, and costs. Potential funding options were also discussed; this includes how different elements of the project (such as bike lanes and sidewalks) may fit within different funding types (such as the Active Transportation Program). This was summarized in a formal presentation to County staff on September 9, 2015.

Refined Project Phasing

After evaluating many different concepts, MTCO proposes a new Phase A for the project that stretches from west of Ridge Road to Tabeaud Road. Phase A was developed to conform with the Purpose and Need for the project and align with the Board of Supervisors' priorities. The key features include the following: improving SR 88/Ridge Road intersection operations, improving pedestrian crossing at the Town Hall, providing on-street parking, signaling SR 88/Volcano Road intersection, improving SR 88/Tabeaud Road intersection operations by constructing a westbound by-pass lane, and constructing standard shoulders on SR 88. The refined Phase A would construct improvements corridor wide (see Attachment 2) and defer the following improvements to future phases: Climax realignment, pavement rehabilitation, on-site work at Pine Grove Elementary, and Tabeaud Road partial signal with second westbound through lane. These phases would be completed as funding becomes available. Upon completion of PA&ED, MTCO recommends pursuing options identified in the refined Phase A project and begin preparing PS&E as proposed in the Draft Project Report, modifying portions of the project as Caltrans approves refined concepts.

Discussion of Informal Value Engineering and Phasing Alternatives

The informal value engineering analysis generated an initial list of cost saving design concepts, which included retaining walls, a review of pavement conditions, chain up locations, Pine Grove Elementary School access, the geometrics at Ridge Road, Irishtown, Volcano Road, and Tabeaud Road. These are discussed in more detail below. The total savings for the refined Phase A project compared to the project cost in the Draft Project Report is summarized in the following table:

Retaining Wall Reduction	\$1,500,000
Traffic Calming through Downtown	\$100,000
Maintain Volcano Road superelevation (with minor cross slope corrections for ADA compliance)	\$3,000,000
Tabcaud Road Bypass lane	\$2,000,000
Defer Pavement Rehabilitation	\$6,240,000
Pine Grove Elementary School Access	\$950,000
Total Refined Phase A Project Cost Savings	\$13,790,000

Retaining Walls

The current Draft Project Report identifies 16 retaining walls along the corridor as listed in the table below.

SUMMARY OF PROPOSED RETAINING WALLS

Structure No.	Wall Type	Line	Origin Stationing	End Stationing	Length (feet)	Estimated Maximum Height (feet)
New RW No. 1	Type 1	SR-88	7+10	13+10	600	12
New RW No. 2	Type 1	SR-88	18+25	24+00	575	16
New RW No. 3	Type 1	SR-88	41+50	44+50	300	10
New RW No. 4	Type 1	SR-88	48+50	53+72	510	18
New RW No. 5	Type 1	SR-88	56+00	58+28	220	10
New RW No. 6	Type 1	SR-88	58+66	61+98	339.25	16
New RW No. 7	MBW	SR-88	79+18	79+80	62.25	6
New RW No. 8	MBW	SR-88	80+32	81+14	82.5	4
New RW No. 9	MBW	SR-88	81+88	85+05	352.5	6
New RW No. 10	Soil Nail	V	43+81	45+11	139	17
New RW No. 12	Type 1	SR-88	95+45	96+84	160	15
New RW No. 13	MBW	SR-88	96+61	96+94	32.25	4
New RW No. 14	MBW	SR-88	96+52	96+90	38.25	4
New RW No. 15	MBW	SR-88	101+45	103+37	192	8
New RW No. 16	MBW	SR-88	103+95	105+12	123	8
New RW No. 17	Soil Nail	SR-88	137+40	141+51	402.75	25

Notes: Type 1 = Retaining Wall Type 1, Caltrans Standard Plan RSP B3-1B
MBW = Modular Block Wall
RW No. 11 eliminated from the project plans

MTCO evaluated the proposed walls and have identified cost effective methods to reduce the cost throughout the corridor. Between Climax Road and Ridge Road, the previous design includes 6 retaining walls totaling over 2500 feet with a cost of \$2 million. MTCO explored the option to shift the SR 88 alignment south of Ridge Road and determined that a slight skew (0d 30' 00" which is the maximum allowed by Caltrans Highway Design Manual (HDM) without a design exception) eliminated Retaining Wall 5 and greatly reduced the length and height of retaining walls 3 and 4. The alignment shift alone **could save approximately \$600,000 in retaining wall costs.**

It was also determined that it may be more cost effective to replace select walls with cut/fill slopes. At the northeast corner of the SR 88/ Ridge Road intersection, replacing Retaining Wall 6 with a cut slope and acquiring right of way is estimated to result in a net savings of approximately \$650,000. Without the retaining wall, the shoulder next to the right turn pocket can be reduced from 10 feet to 4 feet. Additionally, Retaining Walls 7 through 10 **could be replaced with cut/fill slopes for approximately \$250,000 in savings. The total potential cost savings through reductions in retaining walls along the entire corridor is approximately \$1.5 million.**

Challenges from Caltrans are not anticipated regarding removing retaining walls to construct cut/fill slopes and acquire right of way as the design concepts discussed above conform to the Caltrans HDM. The removal of the walls would also reduce the long term maintenance costs. Caltrans may have an opinion on the type of acquisition (slope easement versus fee acquisition); these details will be worked through once the project moves to final design.

Downtown Pine Grove

MTCO proposes a complete street concept that will increase the safety for pedestrians and bicyclists. The design will implement standard bike lanes along the entire corridor and on-street parking near the Town Hall and Community Park. Eleven (11) foot travel lanes have been proposed which will passively reduce speeds through downtown Pine Grove. With the original design proposing 12 foot travel lanes, the reduced pavement **could save over \$100,000** in just pavement and excavation costs. It is important to note that with the 11 foot lanes, a mandatory design exception will need to be submitted to Caltrans for approval. According to the HDM, 11 foot lanes are acceptable given posted speeds of 40 mph and under and total truck volumes less than 250 per lane. The current posted speed through the downtown area is 35 mph, however the truck volume is 800, so we would need to discuss the approach with Caltrans. Providing the reduced lane widths would likely reduce speeds through the corridor and there is not a documented safety concern with the truck traffic in the project area, we believe that the design exception is justified. MTCO has coordinated Caltrans approval on projects with less than 12 foot lanes on state highways with similar truck volumes in the past. One example includes SR 16 through Esparto in Yolo County where traffic calming improvements included narrowing lanes to 11 feet, adding bike lanes, and back-in angled parking.

MTCO proposes to discuss the existing operations with Caltrans, document the added safety benefit resulting from the traffic calming effect from the lane width reduction, and formalize Caltrans' approval with a Design Exception Fact Sheet.

Between Ridge Road and Irish Town Road, multiple commercial and residential properties have direct frontage on the south side of SR88. Some properties have designated driveways while others have informal parking along the street. MTCO has identified multiple alternatives that work to create a continuous path for pedestrians from Ridge Road to Irish Town Road and provide continued access to the properties. The alternatives are outlined below:

1. *Maintain existing pavement* – This alternative would allow for the informal parking that currently takes place. There would not be a designated walking facility for pedestrians and the existing valley gutter would remain to catch runoff from the street. Future improvements described below would not be precluded.
2. *Standard curb and driveways* – This alternative would provide a continuous sidewalk for pedestrians from Ridge Road to Irish Town Road and would formalize a driveway for each parcel. This alternative would be the most costly of the three and would limit the amount of parking by introducing a standard curb in locations where vehicles currently park.
3. *Rolled curb and sidewalk* – This alternative would provide a continuous sidewalk similar to alternative 2, but the rolled curb would allow for more flexibility for pulling off of SR 88. It would also avoid the construction of multiple closely spaced driveways that may have operational impacts. Some of the informal parking would be preserved.

Caltrans may weigh-in on the installation of rolled curb, as rolled curb is not the curb type Caltrans typically uses (even though a Caltrans standard plan detail covers rolled curbs). Additionally, Caltrans may comment to construct a continuous sidewalk and favor the standard curb/driveway alternative. MTCO will coordinate the merits of each context sensitive solution with Caltrans, document property owner concerns, safety benefits, and operational impacts. Any specific Caltrans concerns will be addressed during final design development.

Irish Town Road

SR 88 near Irish Town Road is an area that generates more pedestrian activity than the rest of the corridor with the Town Hall and Community Park in close proximity. Community Park is used heavily for events during the summer months including a farmers market on Wednesday nights. With one of the Board of Supervisors' priorities to improve a crossing for pedestrians across SR 88, MTCO evaluated crossing options at Irish Town Road. The previous design includes a signal at the SR 88/Irish Town Road intersection. The Traffic Operations Analysis Report mentions that this intersection does not meet signal warrants under the 2024 construction year, but future planned development would warrant a signal by the design year of 2044. Bulb outs at the crossing will shorten the existing crossing distance from 54 feet to 40 feet. The existing pedestrian beacon has not been effective for alerting vehicles that a pedestrian is waiting to cross. An alternative has been identified that would install a Pedestrian Hybrid Beacon (HAWK type Signal) in front of the Pine Grove Town Hall.

A part of the informal value engineering process is to look for opportunities to add value to the project, not just reduce costs. Additional on-street parking through downtown Pine Grove and formalizing the eastbound bus stop adds value to the complete street concept. Two alternatives have been developed that do exactly that and are outlined below:

1. *On-street bus stops* – This alternative would introduce 13 on-street parking stalls with the westbound bus stop located just east of the Town Hall. The eastbound bus stop would be relocated in front of Pine Grove Community Park. A vacant lot on the southwest corner of the SR88 and Irish Town intersection could be converted into a parking lot that would add 43 additional parking stalls.
2. *Off-street bus stops* – If on-street parking is preferred, the bus stops can be converted into a "Park and Ride" in the vacant lot on the southwest corner of SR 88/Irish Town intersection. The buses would enter from a driveway located on SR 88 and exit onto Irish Town Road. This

alternative would allow for 27 on-street parking stalls with a potential for an additional 21 stalls in the "Park and Ride" lot. Coordination with Amador Transit is necessary to ensure that left turns across opposing traffic are feasible.

The on-street parking and bus stop locations conforms to Caltrans HDM standards; MTCO has implemented this type of parking on a number of Caltrans projects, including along SR 16 in Esparto and Lincoln Boulevard in the City of Lincoln. The bus stop (either an on street pullout or off street) will not introduce any safety issues that Caltrans will be concerned with.

Although on-street parking and bus stops are not anticipated to warrant a design exception, our approach to acquiring Caltrans buy-off for this in Pine Grove will be to discuss the existing operations with Caltrans, document the added safety benefit resulting from formalization of the parking and bus stop, and address any specific concerns during final design development.

Volcano Road

The current Draft Project Report shows a complete reconstruction of the Volcano Road and SR 88 intersection. The proposed improvements include squaring up the intersection, eliminating the superelevation on SR 88, a new access to the school located on Volcano Road, a right turn pocket on SR 88 and a complete redesign of the school's parking lot. MTCO has identified an alternative that meets the full design year (2044) condition and would allow a 75 degree skew of Volcano Road with SR 88 and maintain a 5 percent superelevation on SR 88 to meet the Americans with Disabilities Act of 1990 (ADA) Standards. Preliminary traffic analysis indicates that a westbound right turn pocket onto Volcano Road is not required for the design life of the project. With the skew, separation between the SR 88/Volcano Road intersection and the driveway exiting from the school would also increase and provide an operational benefit. MTCO's alternative would offer an estimated **cost savings of over \$3 million** at the Volcano Road compared to the previous design.

Pine Grove Elementary School Access

The current design from the Draft Project Report shows a significant amount of work on-site at Pine Grove Elementary. This would address the access and congestion concerns, but is also a significant cost to the project. As such, MTCO reviewed other alternatives that would address the access concerns and allow the on-site work to be deferred to a future phase.

With the most congestion at this intersection being before and after school with parents dropping off and picking up their children, MTCO proposes a 19 space school loading zone in between the school driveways on SR 88. The loading zone will provide an alternative to dropping children off in the school parking lot. This will alleviate parents that queue in front of the businesses east of the school. MTCO has identified loading zones with similar configurations on state highways in California. One example of a loading zone on a Caltrans facility is SR 33 in front of Nordoff High School in Ojai, CA. The loading zone will conform to the California Manual of Uniform Traffic Control Devices (MUTCD), Section 7: Traffic Controls for School Areas. This section includes guidance for curb marking, pavement marking, and sign placement approaching the school and for the loading zone. The SR 88/Volcano Road intersection has been designed to allow U-turns for vehicles to go from westbound to eastbound after picking up their children from the loading zone. Additional coordination with the school is anticipated to discuss/coordinate children walking from the loading zone and crossing the existing parking lot (i.e. volunteer crossing guards, etc.) The loading zone and modifications for U-turn do not preclude the

school parking lot modifications or driveway access from Volcano Road identified in the current Draft Project Report.

An ultimate design at Volcano Road would be to construct a driveway that offers access to the school off of Volcano Road north of the auto parts store. This driveway would greatly improve the operations along this stretch of SR 88 and would reduce conflict by removing the driveway on SR 88 close to the intersection. The cost of the ultimate driveway would be an additional \$550,000. Additional school parking lot modifications would also be constructed, however, the scope of that work would be far more limited than what was proposed in the Draft Project Report.

With the main operational issue at Volcano Road being vehicles attempting to exit the school parking lot at an already busy intersection in the peak hour, the school circulation could potentially be reversed. In this case, westbound vehicles would turn in to the school at the driveway closest to Volcano Road while eastbound vehicles would enter at the ultimate driveway off of Volcano Road. All vehicles would exit through the driveway to the east avoiding the possibility of a queue on SR 88 obstructing the exit from the school parking lot. However, in this scenario students would have to cross the parking lot drive aisle after exiting the school bus.

For students to access the school loading zone, two ADA routes have been identified:

1. *Sidewalks along both driveways* – Both driveways have an existing profile grade ranging between 8 and 10 percent. Pedestrian access could wrap around each driveway with intermittent pedestrian landings to meet ADA standards.
2. *A central path to the loading zone* – Similar to the current design, a central path with switchbacks, landings and short retaining walls would directly connect the students from where they exit the school to the loading zone. This would shorten the walk through the parking lot for the students.

Our approach to acquiring Caltrans approval for this in Pine Grove will be to discuss the existing operations with Caltrans, document the added safety benefit resulting from formalization of the loading zone and pedestrian route to the school, and address any specific concerns during final design development.

Tabeaud Road

Collisions at the Tabeaud and SR 88 intersection indicate deficiencies with the existing condition. The westbound left turn pocket onto Tabeaud is substandard in length while there is also no right turn pocket for a volume that warrants one. MTCO has identified a Phase A alternative that would introduce a bypass lane for westbound moving traffic. The intersection would continue to operate under side-street stop control with an acceleration lane for vehicles turning left onto SR 88. MTCO's Phase A provides in excess of 10 years of design life pending future development and focuses the initial improvements on maximizing the benefits without throwaway costs. While the intersection of Tabeaud Road and SR 88 does not currently meet signal warrants, a proposed development is expected prior to the design year of 2044. An ultimate design would implement a partial signal with standard turn pockets and will carry the truck climbing lane through the intersection. MTCO's proposed Phase A solution could save approximately \$2 million compared to the current design.

The bypass lane concept above is similar to the SR 20/SR 53 intersection in Clearlake and SR 49/SR 12 intersection outside of San Andreas, CA. There is precedence for the concept; MTCO, anticipates documenting the operational and safety benefit of the bypass lane to obtain Caltrans approval.

Chain Up Locations

As identified by the County Board of Supervisors, a new chain up area is desired along the project corridor. Three locations for a chain up area heading eastbound out of Pine Grove have been identified. Each alternative is outlined below:

1. The first is to maintain the location of the existing turnout which is located approximately 800 feet east of Climax Road. Due to widening to standard shoulders, this would necessitate a retaining wall 300 feet in length on the east side of SR 88 and would approximately cost \$150,000.
2. The second location would be just west of Mt. Zion Road. The HDM specifies that a paved width of 12 feet is required for a turnout in a cut section similar to what would be the case in this location. The cost to widen the standard 8 foot shoulder 4 additional feet would be approximately \$30,000.
3. The last location would be located just east of Mt. Zion Road. This chain up area would be in a fill section requiring a paved width of 15 feet. With the 3 extra feet of pavement, this alternative would cost approximately \$60,000.

Pavement Rehabilitation

The project priorities focus on improving pedestrian facilities, overall operations, and upgrading to standard shoulders and bike lanes. The Phase A project would provide for a minor amount of pavement work (i.e. slurry seal) to allow for re-striping of the proposed improvements. Any major pavement rehabilitation work, however, would be deferred to the future phase unless additional funding is secured. **Pavement rehab along the entire corridor would cost approximately of \$6.25 million.** We have identified potential funding sources for the pavement rehabilitation in the upcoming section of this memo.

Project Cost – Revised Phase A

This value engineering process has resulted in a proposed project that addresses all of the Board of Supervisors' priorities by providing corridor-wide improvements from west of Ridge Road to Tabeaud Road for about \$12 million. Based on MTCO's initial review of traffic analysis, this project meets Caltrans' 20 year minimum design requirement. This will be confirmed once a formal Supplemental Traffic Operations Analysis is completed. Refer to the table below for a cost breakdown per segment.

Ridge Road (Station 25+50 to 77+50)	\$5,840,000
Irish Town Road (Station 77+50 to 90+00)	\$2,250,000
Volcano Road (Station 90+00 to 100+00)	\$2,000,000
Tabeuad Road (Station 100+00 to 141+50)	\$1,550,000
Total Refined Phase A Project Cost	\$11,640,000

The Draft Project Report identified 100 partial acquisitions and 3 full takes from 77 parcels. The refined Phase A has reduced and/or deferred the amount of right of way, easements, and temporary construction easements (TCE) needed to construct the project, calling for acquisitions from 39 parcels and deferring 19 parcels until the ultimate project. Refer to the table below for the change in right of way, number of parcels, and the resulting cost savings.

	Right of Way Acquisition	TCE/Permanent Easement	Cost*
Draft Project Report	1.30 AC (29 parcels)	7.54 AC (71 parcels)	\$1,720,000
Refined Phase A	0.90 AC (16 parcels)	1.55 AC (37 parcels)	\$1,000,000
Total Cost Savings	\$720,000		

**Note: R/W costs include land acquisitions and do not include Utility Relocation, Relocation Assistance, R/W Support, or Other Costs (Appraisals, Title, Escrow, etc.).*

Project Cost – Remaining Project Phases to Achieve Ultimate Design

The ultimate project designed for 2044 would include the ultimate realignment of Climax Road (\$6 million), the school driveway onto Volcano Road (\$550,000), the signalization and widening of Tabuead Road (\$950,000), and complete pavement rehabilitation of the entire corridor (\$6.25 million) totaling just under \$26 million. The current Draft Project Report has Phase A, B, and C totaling \$30 million.

Total Refined Phase A Project Cost	\$11,640,000
Climax Road Realignment	\$6,000,000
Volcano Road (School Driveway)	\$550,000
Tabuead Road (Partially Signalized Intersection)	\$950,000
SR88 Pavement Rehabilitation	\$6,240,000
Total Ultimate Project Cost	\$25,380,000

Rejected Alternatives:

During the development of the informal value engineering and phasing concepts, MTCO reviewed a number of different alternative concepts and approaches. Ultimately, these alternatives were rejected for various reasons. A summary of these rejected concepts is below.

1. Left turn pocket at the Climax Road and SR88 intersection – This would perpetuate the conflict between eastbound lefts and westbound rights into Climax.
2. Relocating bus stop west of Town Hall – Relocation would steepen/lengthen driveway conforms, introduce a retaining curb in order to preserve the existing parking lot and may increase jaywalking as people may not walk back to the crossing.
3. Signalizing Irish Town Road and SR88 intersection – This intersection does not meet signal warrants according to The Traffic Operations Analysis Report. If a future development were to go in off of Irish Town Road, this alternative could be revisited.
4. Refuge island at HAWK signal – While an island would increase the safety of pedestrians crossing SR88, it precludes a left turn out of the driveway. Bulb outs have been implemented into the design in its place.
5. Squaring up Volcano Road at SR88 – A larger skew creates more separation between the intersection and the school driveway. This alternative would also require more of the intersection to be rebuilt.
6. Angled parking in front of Pine Grove Elementary School – Backing out of parking will lead to more congestion on SR88.
7. A curb separating the bypass lane from acceleration lane at Tabeaud – Introduction a curb on this high speed stretch of SR88 is discouraged in the Highway Design Manual.
8. Interim Ridge Road with 1 left turn and 1 receiving lane (Defer second left and lane drop) – With an additional left turn lane onto SR88 warranted for the design year, an interim design could defer the second left turn lane. However, with the alignment shift proposed, no wall is needed on the south side of the intersection. The cost savings for phasing the improvements would be minimal.

Potential Funding Sources

A list of potential funding sources for the Phase A and ultimate project is identified below. The table identifies the source and approximate amount of funding that could be available. The sources listed include a number of different options, and at this time we have not discussed the amount of available funding available for SR 88 or how the project would potentially compete for this funding. Once the project phasing plan is completed, MTCO will formalize an approach to potential funding programs and an analysis of how the proposed improvements will compete for this funding.

SOURCE	APPROX. AMOUNT	APPLICATION
STIP (State Transportation Improvement Program)	\$18.4 M	Construction costs, right of way, and preliminary engineering
ATP (Active Transportation Program)	\$2 M	Sidewalks, bike lanes/shoulders, and narrowed lanes
TIGER (Transportation Investment Generating Economic Recovery)	\$30.2 M	Any construction improvements
FLAP (Federal Lands Access Program)	\$6.3 M	SR-88 Pavement Rehabilitation (Thru lanes and two-way-left turn) **Also potential for SHOPP funding
SHOPP (State Highway Operations and Protection Program)	\$2.5 M	Tabaud Improvements, chain-up area
FTA (Federal Transit Administration)	\$0.35 M	Bus stops and sidewalks within 500 feet
HR3/HSIP (High Risk Rural Roads Program/ Highway Safety Improvement Program)	\$6 M	Climax realignment
RTMF (Regional Traffic Mitigation Fee)	\$1 M	Eligible for corridor-wide improvements
ITIP (Interregional Transportation Improvement Program)	--	Discussions with Caltrans about funding opportunities
Cap and Trade Funds	--	Program details still developing for transportation funds

Potential Funding Sources

A list of potential funding sources for the Phase A and ultimate project is identified below. The table identifies the source and approximate amount of funding that could be available. The sources listed include a number of different options, and at this time we have not discussed the amount of available funding available for SR 88 or how the project would potentially compete for this funding. Once the project phasing plan is completed, MTCO will formalize an approach to potential funding programs and an analysis of how the proposed improvements will compete for this funding.

SOURCE	APPROX. AMOUNT	APPLICATION
STIP (State Transportation Improvement Program)	\$18.4 M	Construction costs, right of way, and preliminary engineering
ATP (Active Transportation Program)	\$2 M	Sidewalks, bike lanes/shoulders, and narrowed lanes
TIGER (Transportation Investment Generating Economic Recovery)	\$30.2 M	Any construction improvements
FLAP (Federal Lands Access Program)	\$6.3 M	SR-88 Pavement Rehabilitation (Thru lanes and two-way-left turn) **Also potential for SHOPP funding
SHOPP (State Highway Operations and Protection Program)	\$2.5 M	Tabaud Improvements, chain-up area
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ITIP (Interregional Transportation Improvement Program)	--	Discussions with Caltrans about funding opportunities
Cap and Trade Funds	--	Program details still developing for transportation funds

AGENDA TRANSMITTAL FORM

To: Board of Supervisors
 Date: 10/07/2015
 From: Brian Oneto, Chairman
 (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>10/13/2015</u>

Department Head Signature _____

Agenda Title: Mule Creek Infill Project

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

Presentation by Mr. Bob Sleppy, CDCR Facilities Planning and Management, regarding the status of the Level II Infill Correctional Facilities Project at Mule Creek State Prison, spray field proposals for disposal of secondary effluent, and review of a Draft Subsequent EIR that was just released for public review.

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? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman B

Counsel GC

Auditor JOR

GSA Director Hop

CAO A

Risk Management Amo

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

FOR CLERK USE ONLY

Meeting Date 10-13-15 Time _____ Item # 6

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

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes: _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____
 Completed by _____
 of _____

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

Save

Print Form

AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: 10/13/2015

To: Board of Supervisors

Date: 10/08/2015

From: Brian Oneto, Chairman
 (Department Head - please type)

Phone Ext. x470

Department Head Signature _____

Agenda Title: Request for Funding

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

Discussion and possible action relative to a request for funding of a District wide school project utilizing funding from the education portion of the Fish and Wildlife Fees collected by Amador County.

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

Comments: _____

Committee Recommendation: _____

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)

Auditor _____

FOR CLERK USE ONLY

Meeting Date 10-13-15 Time _____ Item # 7

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

Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 Noes _____ Resolution _____ Ordinance _____
 Absent: _____ Comments: _____

Distributed on _____
 Completed by _____

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

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**
 Date: 10/07/2015
 From: John Plasse, Supervisor District I
 (Department Head - please type)

Phone Ext. x470

- Regular Agenda
 Consent Agenda
 Blue Slip
 Closed Session
 Meeting Date Requested:
10/13/2015

Department Head Signature _____

Agenda Title: National Highway System (NHS) Status for SR 16

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

Discussion and possible action relative to potential adoption of a resolution or letter of support amending the Federal Functional Classification System and National Highway System to include SR 16.

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? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman [Signature]

Counsel GC

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 10-13-15 Time _____ Item # 8

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 _____		

DRAFT Resolution No.

A RESOLUTION AMENDING THE FEDERAL FUNCTIONAL CLASSIFICATION SYSTEM
AND NATIONAL HIGHWAY SYSTEM (NHS)

WHEREAS, the California Department of Transportation works in consultation and coordination with regional transportation planning agencies, counties, and cities along the State Route (SR) 16 corridor which runs east-west and traverses Amador County to its terminus at SR 49; and,

WHEREAS, functional classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide, and National Highway System (NHS) status is used in determining federal funding eligibility for roadway maintenance and rehabilitation improvements; and,

WHEREAS, the County of Amador periodically reviews the system of streets and highways under its jurisdiction and recommends appropriate changes to classification of the various segments of the system; and,

WHEREAS, a recent review of SR 16 has revealed the need for a change to the Federal Functional Classification and National Highway System (NHS) classification of SR 16; and,

WHEREAS, SR 16 meets the Average Daily Traffic, Truck Volume and Population-Served criteria that provides justification for the Principal Arterial classification and,

WHEREAS, SR 16 is operating as a Principal Arterial and serves interregional travel consisting of goods and freight movement, commuters, recreation travelers; and,

WHEREAS, SR 16 serves economic development among the various historical communities in California's Mother Lode district, including the Shenandoah Valley wine district; and,

WHEREAS, SR 16 provides a corridor that also meets NHS national security and mobility interests, offering a critical, alternative parallel corridor to U.S. 50 into the greater Sacramento Metropolitan area; and,

WHEREAS, the Amador County Board of Supervisors recommends that SR 16 meets the criteria to be included in the NHS and enhances the characteristics of the NHS, funded through Map-21, and requests that it be included in the National Highway Performance Program (NHPP) in order for it to be eligible for NHPP funding to help meet statewide NHS performance measures for roadway condition, safety, mobility, and freight movement; and,

WHEREAS, if SR 16 is upgraded to a Principal Arterial and included in the NHS, there is no requirement to provide upgrades to the facility, but if improvement plans are proposed, those plans must conform to Caltrans Highway Design Manual standards, including the implementation of Context Sensitive Solutions; and,

NOW, THEREFORE, BE IT RESOLVED that the County of Amador hereby request changes to the Federal Functional Classification System and National Highway system as presented and attached.

PASSED and APPROVED this ____ day of _____, 2015

NHS Eligible activities

- Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation, or operational improvements of NHS segments.
- Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of NHS bridges and tunnels.
- Bridge and tunnel inspection and evaluation on the NHS and inspection and evaluation of other NHS highway infrastructure assets.
- Training of bridge and tunnel inspectors.
- Construction, rehabilitation, or replacement of existing ferry boats and facilities, including approaches, that connect road segments of the NHS.
- Construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, and operational improvements for, a Federal-aid highway not on the NHS, and construction of a transit project eligible for assistance under chapter 53 of title 49, if the project is in the same corridor and in proximity to a fully access-controlled NHS route, if the improvement is more cost-effective (as determined by a benefit-cost analysis) than an NHS improvement, and will reduce delays or produce travel time savings on the NHS route and improve regional traffic flow.
- Bicycle transportation and pedestrian walkways.
- Highway safety improvements on the NHS.
- Capital and operating costs for traffic and traveler information, monitoring, management, and control facilities and programs.
- Development and implementation of a State Asset Management Plan for the NHS including data collection, maintenance and integration, software costs, and equipment costs.
- Infrastructure-based ITS capital improvements.
- Environmental restoration and pollution abatement.
- Control of noxious weeds and establishment of native species.
- Environmental mitigation related to NHPP projects.
- Construction of publicly owned intracity or intercity bus terminals servicing the NHS.
- Workforce development, training, and education activities

NHS Issues and Process, Amador County and ACTC Request for NHS Status for AMA-16-PM 6.38/9.37

Advantages to NHS Status

NHPP Program Eligibility

The National Highway Performance Program (NHPP), funded through Map-21 at approximately \$22 billion per year, establishes federal funding eligibility only to projects on the NHS. These funds support the condition, safety, mobility, freight movement and performance of the NHS and must be directed toward achievement of performance targets pursuant to State Asset Management Plans for the NHS. Please see attached listing of NHS Eligible Activities.

Disadvantages to NHS Status

Potential Impacts to Design Standards:

While FHWA has adopted design standards for the NHS, these requirements (pursuant to 23 CFR 625 and 49 CFT 37.9) apply to new and reconstruction types of projects on the NHS. For resurfacing, restoration, and rehabilitation (3R) projects, design standards as agreed to by the State DOT and FHWA Division Administrator will apply.

Financial Responsibilities:

The State assumes responsibility for monitoring performance data on the State Highway System and ensuring NHS targets are met.

Local Land Use Restrictions re: Billboards/Junkyards:

The State is responsible for control of excessive outdoor billboard and junkyard visual impacts and may incur penalties for non-compliance. “Effective control, as defined by 23 U.S.C. 136(c), means that nonconforming junkyards must be screened by natural objects, plantings, fences, or other appropriate means so that it is not visible from the main travel way of the system or must be removed from sight.” State officials will likely work in coordination with local land use authorities to address these requirements.

NHS Approval Process

- 1) Functional classification modifications require approval from the Federal Highway Administration (FHWA) District Office.
 - Caltrans District proposes changes to District Local Assistance (DLA)
 - DLA forwards proposal to Caltrans Division of Research, Innovation and System Information (DRISI) [Completed]
- 2) NHS inclusion requires approval from FHWA Headquarters.

- Caltrans District (in coordination with local agencies) provides NHS inclusion proposal to DRISI
- Proposal requires Amador County BOS resolution and ACTC letter of concurrence
- DRISI forwards proposal to FHWA HQ

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 09/29/2015

From: Garth Hohn, Code Enforcement Officer
(Department Head - please type)

Phone Ext. 565

<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>10/13/2015</u>
--

Department Head Signature *Susan C. Lujalva*

Agenda Title: Delores Dane / APN #015-131-007-000

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

Consideration of the Administrative Hearing Board recommendation to abate the solid waste existing on the property located at APN #015-131-007-000 located at 16931 Stage Road, Sutter Creek, CA 95685.

See attached for further information.

Recommendation/Requested Action:

Adopt the Administrative Hearing Board's Recommendation to the Amador County Board of Supervisors.

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

Comments:

Committee Review?

N/A

Name Administrative Abatement Hearing Board

Committee Recommendation:

see attachment

Request Reviewed by:

Chairman *[Signature]*

Counsel *GG*

Auditor *JCR*

GSA Director *Hop*

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

10-13-15

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 _____



CODE ENFORCEMENT
COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6565

To: Amador County Board of Supervisors

From: Garth Hohn, Code Enforcement Officer **GAH**

RE: Assessor's Parcel No. 015-131-007-000
Address: 16931 Stage Road, Sutter Creek, CA 95685

Date: September 29, 2015

On September 23, 2015, an Administrative Abatement Hearing was held regarding a solid waste violation on the above referenced parcel.

Pursuant to Amador County Code Section 2.06.100 Administrative abatement of violation (see attached), this matter is coming to you for a decision to either adopt the Hearing Board's Findings and Recommendation without further notice or hearing, or setting aside the matter and scheduling a de novo hearing before the Board of Supervisors.

The attached materials are from the Abatement Hearing Board's hearing which include the Findings and Recommendation Regarding Administrative Abatement Action.

For easier review, the Board Clerk has been provided a copy of the "Exhibit Binder" used during the hearing.

2.06.090 Administrative abatement of violation.

Pursuant to Government Code Section 25845 the board of supervisors establishes a procedure for the administrative abatement of violations. (Ord. 1474 §2(part), 1999).

2.06.100 Administrative abatement of violations.

Whenever the code enforcement officer has knowledge of a violation he/she may provide a notice of proposed abatement to all owners and/or possessors of the premises in the manner set forth in Section 2.06.080 A and B of this chapter.

- A. Such notice of proposed abatement shall state that the code enforcement officer intends to abate the violation at the owner's expense thirty days from the date of the notice and that the owner and possessor each has the right to a prior hearing before the hearing board on the issue of whether or not a violation exists on the premises. A request for such hearing must be made in writing by the owner or possessor and delivered to the code enforcement officer within fifteen days from the date of notice of proposed abatement; and
- B. The hearing shall be conducted in the manner set forth in Section 2.06.080 C; and
- C. In the event a hearing is not requested within the time specified, or if after a hearing a determination is made by the hearing board that one or more violations exist on the property and that such violations have not been corrected, the code enforcement officer shall transmit the hearing board's recommendation to the board of supervisors; and
- D. The board of supervisors may adopt the hearing board's recommendation without further notice or hearing or may set aside the matter for hearing de novo before the board of supervisors; and
- E. If the board of supervisors adopts the hearing board's recommendation, the board of supervisors shall give notice thereof to the owner and possessor and proceed to abate the violation at the owner's expense; and
- F. If the board of supervisors sets the matter for a hearing de novo it shall provide notice thereof in accordance with the provisions of Section 2.06.080 A and B of this chapter and conduct the hearing pursuant to Section 2.06.080 C of this chapter; and
- G. If the board of supervisors finds that the violation exists the board of supervisors shall order the violation to be abated by the owner at the owner's expense. If the owner fails to obey the abatement order, the board of supervisors may abate the violation using county workers or by contract all at the expense of the owner; and

H. The owner shall be liable for all costs of abatement incurred by the county including but not limited to administrative and investigative costs and any and all costs incurred in the physical abatement of the violation; and

I. In any action, proceeding, or administrative proceeding to abate a violation the county or the alleged violator, whoever is the prevailing party, shall be entitled to the amount of reasonable attorney's fees actually incurred in the action or proceeding; and

J. If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the costs of the assessment to be specially assessed against the premises. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment; and

K. If the board of supervisors specifically assesses the cost of abatement against the premises, the board also may cause a notice of abatement lien to be recorded. This notice of abatement lien shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the violation was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost. (Ord. 1474 §2(part), 1999).

Administrative Hearing Board

September 23, 2015

At

10:00 a.m.

**Amador County Administration Center
810 Court Street
Jackson, CA 95642**

Property Owner: Delores A. Dane

**Physical Address: 16931 Stage Road
Sutter Creek, CA 95685**

Assessor's Parcel Number: 015-131-007-000

BEFORE THE ADMINISTRATIVE HEARING BOARD
COUNTY OF AMADOR, STATE OF CALIFORNIA

In the Matter Of:)	
	)	FINDINGS AND
Amador County Department of Code Enforcement	)	RECOMMENDATION
	)	REGARDING
	)	ADMINISTRATIVE
vs.	)	ABATEMENT ACTION
	)	(Amador County Code
Delores Dane.	)	Section 2.06.100)
)	
)	
)	
)	
)	
)	
)	

This matter came on regularly for hearing; in session open to the public, as noticed and scheduled on September 23, 2015 at 10:00 a.m., for administrative hearing pertaining to the existence of Amador County Code violation(s) that have not been corrected and that are subject to abatement on that parcel of real property described as APN 015-131-007-000 located at 16931 Stage Road in Sutter Creek, California.

Appearances:

For Amador County: *Grace Pak*
Jennifer K. Magee, Deputy County Counsel
Garth Hohn, Code Enforcement Officer, Amador County of Amador

For Delores Dane:
Delores Dane, Property Owner

Witnesses:

Sworn Witnesses for Amador County:
Garth Hohn, Code Enforcement Officer, Amador County of Amador

Sworn Witnesses For Delores Dane:

Evidence:

Exhibits admitted into evidence for the County of Amador:

- EXHIBIT 1: Amador County Property Tax Detail
 - a. Property Detail
 - b. Grant Deed, Deed of Trust with Assignment of Rents
 - c. GIS Map

- EXHIBIT 2: April 6, 2015 Notice of Violation Letter from Environmental Health to Property Owner

- EXHIBIT 3: May 14, 2015 Second Notice of Violation Letter from Environmental Health to Property Owner

- EXHIBIT 4: May 27, 2015 Code Enforcement Referral Form from Environmental Health (with 2 pages of photographs)

- EXHIBIT 5: June 1, 2015 Notice of Proposed Abatement of Code Violations from Code Enforcement to Property Owner (with Proof of Service)

- EXHIBIT 6: 7 pages of Photographs from Code Enforcement dated July 1, 2015

- EXHIBIT 7: 9 pages of Photographs from Code Enforcement dated August 3, 2015

- EXHIBIT 8: August 4, 2015 Notice of Administrative Abatement Hearing Letter from Code Enforcement to Property Owner, Wells Fargo, and Armstrong Bail Bonds

- EXHIBIT 9: 4 pages of Photographs from Code Enforcement dated September 11, 2015

Exhibits admitted into evidence for Delores Dane:

FINDINGS OF FACT:

1. The parcel of real property on which the Amador County Code violations exist is located at 16931 Stage Road in Sutter Creek, County of Amador, and State of

California. (Assessor's Parcel No. 015-131-007-000—hereinafter referred to as "the Subject Property").

2. The owner of the subject property is Delores Dane.

Environmental Health Department Violations:

3. The condition that exists on the subject property constitutes violations of Amador County Code section 7.24.020 Storage of Solid Wastes and 7.24.030 Solid Waste Removal and Collection.

FINDINGS OF LAW:

1. Jurisdiction exists by reason of the location of the subject property within the County of Amador.
2. The property owners received notice of, and opportunity to be heard at the Hearing.
3. The solid waste that exists on the subject property constitutes a violation of Amador County Code Sections 7.24.020 and 7.24.030.
4. The County has jurisdiction and authority to administratively abate violations of County Code pursuant to California Government Code Section 25845 (h) and Amador County Code Section 2.06.100 *et seq.*
5. The Administrative Abatement Hearing Board has jurisdiction and authority to hear this matter, and render factual and legal findings and make a recommendation to the Board of Supervisors regarding the administrative abatement of code violations pursuant to California Government Code Section 25845 (h) and Amador County Code Section 2.06.100 *et seq.*

DETERMINATION BY HEARING BOARD:

Based upon the evidence presented at the hearing, including the report and request for recommendations and the findings of fact and law made as a result thereof, the Administrative Hearing Board makes the following Recommendation to the Board of Supervisors of Amador County:

An order for the administrative abatement shall be issued for the administrative abatement of the solid waste existing on that parcel of real property described as APN 015-131-007-000 located at 16931 Stage Road in Sutter Creek, California.

Within sixty (60) days of the date the Board of Supervisors adopts the Hearing Board's Recommendation:

1. Delores Dane will not allow junk and/or solid waste to be stored or to accumulate on Subject Property. All solid waste will be removed from the property and taken to a legal disposal site. All receipts must be shown to the Code Enforcement Officer to verify legal disposal of the solid waste.
2. Delores Dane shall schedule an on-site inspection with the Amador County Code Enforcement Officer and Environmental Health Technician to verify that the above requirements have been met.

Non-compliance with these orders shall result in Code Enforcement securing a bid to have the Subject Property cleared of all solid waste and junk.


The County shall be entitled to abate the violations existing on said parcel of real property at the expense of the landowner, Delores Dane. As prevailing party, the County shall recover its costs of abatement, including administrative and investigative costs, and attorney's fees.

Dated: September 23, 2015



Louis Boitano, Hearing Officer

Dated: September 23, 2015



Mark Bonini, Hearing Officer

Dated: September 23, 2015



Bryan Middleton, Hearing Officer

I Patricia Keathley am
The Care taker of 216931
Stage RD. Sutter Creek.

CA I am And have done
major work on the property.
Almost complete.

If you could allow 30
more days for Clean up
It would be appreciated

Thank you
Patk

2092675641

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 09/29/2015

From: Garth Hohn, Code Enforcement Officer Phone Ext. 565
 (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>10/13/2015</u>
--

Department Head Signature *Susan C. Sigalwa*

Agenda Title: Thomas A. Newcomer / APN #024-020-001-000

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Consideration of the Administrative Hearing Board recommendation to abate the water storage, food facility, and fire protection system violations existing at Ham's Station located at APN #024-020-001-000 located at 34950 Highway 88, Pioneer, CA 95666.

See attached for further information.

Recommendation/Requested Action:
Adopt the Administrative Hearing Board's Recommendation to the Amador County Board of Supervisors.

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

Is a 4/5ths vote required? Yes <input type="radio"/> No <input checked="" 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 Comments: _____ _____
Committee Review? N/A <input type="checkbox"/> Name <u>Administrative Abatement Hearing Board</u> Committee Recommendation: <u>see attachment</u>	

Request Reviewed by:

Chairman <u><i>[Signature]</i></u>	Counsel <u><i>GS</i></u>
Auditor <u><i>JOR</i></u>	GSA Director <u><i>Hop</i></u>
CAO <u><i>[Signature]</i></u>	Risk Management <u><i>[Signature]</i></u>

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

FOR CLERK USE ONLY

Meeting Date 10/13/15 Time _____ Item # 10

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

Distributed on _____ Completed by _____	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
--	---	--



CODE ENFORCEMENT

COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6565

To: Amador County Board of Supervisors

From: Garth Hohn, Code Enforcement Officer GAH

RE: Assessor's Parcel No. 024-020-001-000
Address: 34950 Highway 88, CA 95666

Date: September 29, 2015

On September 23, 2015, an Administrative Abatement Hearing was held regarding the water storage, food facility, and fire protection system violations on the above referenced parcel.

Pursuant to Amador County Code Section 2.06.100 Administrative abatement of violation (see attached), this matter is coming to you for a decision to either adopt the Hearing Board's Findings and Recommendation without further notice or hearing, or setting aside the matter and scheduling a de novo hearing before the Board of Supervisors.

The attached materials are from the Abatement Hearing Board's hearing which include the Findings and Recommendation Regarding Administrative Abatement Action.

For easier review, the Board Clerk has been provided a copy of the "Exhibit Binder" used during the hearing.

2.06.090 Administrative abatement of violation.

Pursuant to Government Code Section 25845 the board of supervisors establishes a procedure for the administrative abatement of violations. (Ord. 1474 §2(part), 1999).

2.06.100 Administrative abatement of violations.

Whenever the code enforcement officer has knowledge of a violation he/she may provide a notice of proposed abatement to all owners and/or possessors of the premises in the manner set forth in Section 2.06.080 A and B of this chapter.

- A. Such notice of proposed abatement shall state that the code enforcement officer intends to abate the violation at the owner's expense thirty days from the date of the notice and that the owner and possessor each has the right to a prior hearing before the hearing board on the issue of whether or not a violation exists on the premises. A request for such hearing must be made in writing by the owner or possessor and delivered to the code enforcement officer within fifteen days from the date of notice of proposed abatement; and
- B. The hearing shall be conducted in the manner set forth in Section 2.06.080 C; and
- C. In the event a hearing is not requested within the time specified, or if after a hearing a determination is made by the hearing board that one or more violations exist on the property and that such violations have not been corrected, the code enforcement officer shall transmit the hearing board's recommendation to the board of supervisors; and
- D. The board of supervisors may adopt the hearing board's recommendation without further notice or hearing or may set aside the matter for hearing de novo before the board of supervisors; and
- E. If the board of supervisors adopts the hearing board's recommendation, the board of supervisors shall give notice thereof to the owner and possessor and proceed to abate the violation at the owner's expense; and
- F. If the board of supervisors sets the matter for a hearing de novo it shall provide notice thereof in accordance with the provisions of Section 2.06.080 A and B of this chapter and conduct the hearing pursuant to Section 2.06.080 C of this chapter; and
- G. If the board of supervisors finds that the violation exists the board of supervisors shall order the violation to be abated by the owner at the owner's expense. If the owner fails to obey the abatement order, the board of supervisors may abate the violation using county workers or by contract all at the expense of the owner; and

H. The owner shall be liable for all costs of abatement incurred by the county including but not limited to administrative and investigative costs and any and all costs incurred in the physical abatement of the violation; and

I. In any action, proceeding, or administrative proceeding to abate a violation the county or the alleged violator, whoever is the prevailing party, shall be entitled to the amount of reasonable attorney's fees actually incurred in the action or proceeding; and

J. If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the costs of the assessment to be specially assessed against the premises. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment; and

K. If the board of supervisors specifically assesses the cost of abatement against the premises, the board also may cause a notice of abatement lien to be recorded. This notice of abatement lien shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the violation was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost. (Ord. 1474 §2(part), 1999).

Administrative Hearing Board

September 23, 2015

At

10:00 a.m.

**Amador County Administration Center
810 Court Street
Jackson, CA 95642**

Property Owner: Thomas A. Newcomer

**Physical Address: 34950 Highway 88
Pioneer, CA 95666**

Assessor's Parcel Number: 024-020-001-000

BEFORE THE ADMINISTRATIVE HEARING BOARD
COUNTY OF AMADOR, STATE OF CALIFORNIA

In the Matter Of:)	
	)	FINDINGS AND
Amador County Department of Code Enforcement	)	RECOMMENDATION
	)	REGARDING
	)	ADMINISTRATIVE
vs.	)	ABATEMENT ACTION
	)	(Amador County Code
Thomas A. Newcomer.	)	Section 2.06.100)
)	
)	

This matter came on regularly for hearing; in session open to the public, as noticed and scheduled on September 23, 2015 at 10:00 a.m., for administrative hearing pertaining to the existence of Amador County Code violation(s) that have not been corrected and that are subject to abatement on that parcel of real property described as APN 024-020-001-000 located at 34950 Highway 88 in Pioneer, California.

Appearances:

For Amador County:
Jennifer K. Magee, Deputy County Counsel
Garth Hohn, Code Enforcement Officer, Amador County of Amador

For Thomas A Newcomer:
Thomas A. Newcomer, Property Owner

Witnesses:

Sworn Witnesses for Amador County:
Garth Hohn, Code Enforcement Officer, Amador County
Mike Israel, Environmental Health Director, Amador County
Michelle Opalenik, Environmental Health Specialist, Amador County
Larry Stanton, Fire Prevention Officer, Amador Fire Protection District

Sworn Witnesses For Thomas A Newcomer:

Evidence:

Exhibits admitted into evidence for the County of Amador:

- EXHIBIT 1: Amador County Property Tax Detail
- a. Property Detail
 - b. Grant Deed
 - c. GIS Map
- EXHIBIT 2: June 25, 2004 Environmental Health Letter to Property Owner regarding inspection of Public Water System
- EXHIBIT 3: June 10, 2009 Environmental Health Letter to Property Owner regarding Retail Food Facility Violations and Possible Permit Revocation
- EXHIBIT 4: January 15, 2008 Environmental Health Food Program Official Inspection Report for Ham's Station
- EXHIBIT 5: June 3, 2009 Environmental Health Food Program Official Inspection Report for Ham Station
- EXHIBIT 6: June 12, 2009 Amador Fire Protection District Letter to Property Owner regarding proposed water tank replacement and fire fill
- EXHIBIT 7: June 29, 2009 Letter from Environmental Health to Property Owner regarding June 29th office hearing and findings
- EXHIBIT 8: July 9, 2009 Food Inspection Report
- EXHIBIT 9: February 2, 2010 Environmental Health Letter to Property Owner regarding replacement of water storage tank
- EXHIBIT 10: December 7, 2010 Food Inspection Report

- EXHIBIT 11: January 14, 2011 Letter from Property Owner to Michelle Opalenik requesting additional time to replace water system
- EXHIBIT 12: March 3, 2012 Food Inspection Report
- EXHIBIT 13: March 21, 2012 Amador Fire Protection District Field Inspection Report regarding need for UL 300 compliant commercial cooking system
- EXHIBIT 14: February 1, 2013 Environmental Health Letter to Property Owner regarding survey/inspection of Ham's Station water system
- EXHIBIT 15: January 15, 2014 Domestic Water Supply Permit to Property Owner with condition requiring submittal of plans for replacement of water storage tank
- EXHIBIT 16: January 21, 2014 Environmental Health Letter to Property Owner regarding domestic water supply permit
- EXHIBIT 17: January 24, 2014 Amador Fire Protection District Record of Fire Inspection requiring service of fire extinguishers and installation of commercial cooking fire protection system
- EXHIBIT 18: May 9, 2014 Amador Fire Protection District Record of Fire Inspection requiring installation of hood fire prevention system
- EXHIBIT 19: April 27, 2015 Food Inspection Report
- EXHIBIT 20: April 27, 2015 Small Water System Sanitary Survey
- EXHIBIT 21: June 1, 2015 Letter from Environmental Health to Property Owner (with Enclosures of Compliance Order 0300025-2015-001 and April 27, 2015 inspection/sanitary survey for water system)
- EXHIBIT 22: July 15, 2015 Food Inspection Report noting various repeat violations
- EXHIBIT 23: 6 Photographs Water Storage Tank at Ham's Station taken July 15, 2015

- EXHIBIT 24: Amador Fire Protection District Chronology of Commercial Cooking Fire Protection
- EXHIBIT 25: July 24, 2015 Code Enforcement Referral Form from Environmental Health
- EXHIBIT 26: July 28, 2015 Notice of Proposed Abatement of Code Violations from Code Enforcement
- EXHIBIT 27: August 5, 2015 Letter from Property Owner to Garth Hohn
- EXHIBIT 28: August 11, 2015 Notice of Administrative Abatement Hearing
- EXHIBIT 29: August 11, 2015 Memo from Michelle Opalenik to Property Owner regarding availability of grant funds

Exhibits admitted into evidence for Thomas A. Newcomer:

FINDINGS OF FACT:

1. The parcel of real property on which the Amador County Code violations exist is located off Highway 88, Pioneer (unincorporated area), County of Amador, and State of California. (Assessor's Parcel No. 024-020-001-000—hereinafter referred to as "the Subject Property").
2. The owner of the property is Thomas A Newcomer.
3. Mr. Newcomer owns and operates Ham's Station Bar and Restaurant at the Subject Property. Ham's Station is served by an on-site water well and is classified as a "transient-noncommunity public water system." Mr. Newcomer operates this water system under a *Domestic Water Supply Permit* issued by the Environmental Health Department. The Amador County Environmental Health Department has found that the 5,000 gallon redwood water storage tank, which holds the well water, is unsanitary and poses a risk to public health.

4. Beginning in 2004, the Environmental Health Department noted that the water storage tank was leaking and in disrepair. Between 2009 and 2015, staff informed Mr. Newcomer that the redwood tank needed to be replaced with a new water storage tank meeting applicable California Waterworks Standards.
5. Ham's Station Bar and Restaurant has also been the subject of food facility inspections between 2009 and 2015 where staff indicated various recurring violations of the California Retail Food Code. These violations include evidence of the presence of rodents in the kitchen and food/utensil storage areas, food contact surfaces and food equipment that were not kept clean and sanitized, and an accumulation of grease on and near the grill.
6. Since 2000, the Amador Fire Protection District has issued several notices of violation regarding deficiencies of the fire protection systems, which include failure to upgrade to UL 300 compliant fire protection system and servicing of portable fire extinguishers.

FINDINGS OF LAW:

1. Jurisdiction exists by reason of the location of the Subject Property within the County of Amador.
2. The Property Owner received notice of, and opportunity to be heard at the Hearing.
3. The violations occurring on the Subject Property consist of the following:
 - i.) California Code of Regulations, Title 22, Division 4 (Environmental Health), Chapter 16, Section 64585 (Storage Reservoirs)
 - ii.) California Retail Food Code Section 114259 (Vermin and Animals)
 - iii.) California Retail Food Code Section 114113, 114115, and 114117 (Cleaning and Sanitizing Food Contact Surfaces and Utensils)
 - iv.) California Retail Food Code Section 114257 (Premises and Facilities)
 - v.) California Retail Food Code Section 114149.1 and 114149.3 (Ventilation and Mechanical Exhaust)
 - vi.) 2013 California Fire Code Section 904.11- Commercial Cooking Systems
 - vii.) 2013 California Fire Code Section 904.11.5- Portable fire extinguishers for commercial cooking equipment

4. The County has jurisdiction and authority to administratively abate violations of County Code pursuant to California Government Code Section 25845 (h) and Amador County Code Section 2.06.100 *et seq.*, including the suspension or revocation of a food facility permit for violations pursuant to Health and Safety Code Section 114405 and the suspension or revocation of a water system permit for violations pursuant to Health and Safety Code Section 116625.

6. The Administrative Abatement Hearing Board has jurisdiction and authority to hear this matter, and render factual and legal findings and make a recommendation to the Board of Supervisors regarding the administrative abatement of code violations pursuant to California Government Code Section 25845 (h) and Amador County Code Section 2.06.100 *et seq.*

DETERMINATION BY HEARING BOARD:

Based upon the evidence presented at the hearing, including the report and request for recommendations and the findings of fact and law made as a result thereof, the Administrative Hearing Board makes the following Recommendation to the Board of Supervisors of Amador County:

An order for the administrative abatement shall be issued for administrative abatement of the environmental health and fire code violations existing at Ham's Station on that parcel of real property described as APN 024-020-001-000 located at 34950 Highway 88 in Pioneer, California.

Immediately upon the date the Board of Supervisors adopts the Hearing Board's Recommendation:

1. Ham's Station Bar & Restaurant shall be closed and the permits to operate a food facility and public water system shall be suspended until Thomas A. Newcomer complies with Compliance Order 0300025-2015-001 issued by the Environmental Health Department and corrects the violations identified by the Amador Fire Protection District.
2. Thomas A. Newcomer shall schedule an on-site inspection with the Amador County Code Enforcement Officer, Environmental Health Specialist(s), and AFPD Fire Prevention Officer to verify that the above requirements have been met.
3. Upon proof of correction and maintenance of substantial compliance with all applicable codes, the permits shall be reinstated.

4. If the conditions outlined in the Compliance Order re-occur within one (1) year of reinstatement of the permits, the County of Amador may proceed to seek judicial remedies in the Superior Court without the need for further administrative abatement.

The County shall be entitled to abate the violations existing on said parcel of real property at the expense of the landowner, Thomas A Newcomer. As prevailing party, the County shall recover its costs of abatement, including administrative and investigative costs, and attorney's fees.

Dated: September 23, 2015 Louis Boitano
Louis Boitano, Hearing Officer

Dated: September 23, 2015 Mark Bonini
Mark Bonini, Hearing Officer

Dated: September 23, 2015 Bryan Middleton
Bryan Middleton, Hearing Officer

AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: 10/13/2015

To: Board of Supervisors

Date: 10/07/2015

From: Brian Oneto, Chairman
 (Department Head - please type)

Phone Ext. _____

Department Head Signature _____

Agenda Title: Rural County Representatives of California

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

Discussion and possible action relative to an update by RCRC Delegate Brian Oneto regarding a recent meeting of the subject entity.

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 GO

Auditor [Signature] GSA Director Hop

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 10/13/15 Time _____ Item # 11

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 _____		

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: 10/08/2015

From: Jennifer Burns, Clerk of the Board
(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>10/13/2015</u>
--

Department Head Signature _____

Agenda Title: Minutes

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

Review and possible approval of the September 22, 2015 Board of Supervisors Meeting Minutes.

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

Comments: _____

Committee Recommendation: _____

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)

Auditor _____

FOR CLERK USE ONLY

Meeting Date 10-13-15 Time _____ Item # 12

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 _____
Completed by _____	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

Save

Print Form

Page 1 of 401

Regular Agenda
 Consent Agenda
 Blue Slip
 Closed Session

Meeting Date Requested:
 October 13, 2015

To: Board of Supervisors

Date: October 5, 2015

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

Phone Ext. X 380

Department Head Signature *Susan C. Grijalva*

Agenda Title: Planning Dept. - Appeal by Elton & Laura Allred of Planning Commission's action approving a Use Permit for wireless communication tower.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Appeal of Planning Commission's denial of an appeal filed by Elton and Laura Allred appealing a staff issued Use Permit (UP-15;5-5) for a 50' monopole wireless communication tower and ancillary equipment./facilities as requested by Epic Wireless Group/Verizon Wireless. Subject property is located on the east side of American Flat Side Rd. about 1/4 mile south of the American Flat Rd./ American Flat Side Rd. junction; being 19580 American Flat Side Rd. in the Fiddletown area (Farinelli Family Trust, landowner).

NOTE: The Planning Commission denied the appeal but amended the conditions of approval of the Use Permit to require the proposed monopole tower to be a "monopine" structure with a maximum height of 57' in order to accommodate the "crown" of the "tree."

See attached Staff Report for further information.

Recommendation/Requested Action:

After taking public comment determine whether to grant or deny the appeal.

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 Dept.

FOR CLERK USE ONLY

Meeting Date _____ Time _____ Item # 13

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 _____

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.

Department _____

ATTEST: _____

Completed by _____

For meeting _____

Clerk or Deputy Board Clerk

AGENDA TRANSMITTAL FORM

Public Hearing

- Regular Agenda
- Consent Agenda
- Blue Slip
- Closed Session

Meeting Date Requested:

10/13/15

To: **Board of Supervisors**

Date: October 7, 2015

From: Aaron Brusatori
(Department Head - please type)

Phone Ext. 248

Department Head Signature _____

Agenda Title: Formation of CSA 5 Zone of Benefit #13 Pine Grove Bluffs

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

As a Condition of Approval of Subdivision Map #123 - Pine Grove Bluffs, the Subdivider, Del Rapini, must apply for and submit to the Board of Supervisors a request to form a Zone of Benefit within County Service Area No. 5. This includes the roads Mineral Ridge Drive, Bluff Court and Rapini Court.

Public Works has received, accepted and processed the application and petition to establish this Zone of Benefit from the Subdivider.

Recommendation/Requested Action:

Approve resolution for the formation of Zone of Benefit No. 13 within County Service Area No. 5

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

Comments:

Committee Review?

N/A

Name _____

Committee Recommendation: _____

Request Reviewed by:

Chairman [Signature]

Counsel GO

Auditor JOR

GSA Director [Signature]

CAO _____

Risk Management [Signature]

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

Public Works

FOR CLERK USE ONLY

Meeting Date 10-13-15

Time _____

Item # 14

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 _____

Completed by _____

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

Save ...



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
TRANSPORTATION & PUBLIC WORKS

PHONE: (209) 223-6429

FAX: (209) 223-6395

WEBSITE: www.amadorgov.org

EMAIL: PublicWorks@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

MEMORANDUM

TO: Board of Supervisors

FROM: Department of Transportation and Public Works

DATE: October 13, 2015

SUBJECT: Final Subdivision Map No. 123 - Pine Grove Bluffs; Del Rapini Construction, Inc.
Formation of Zone of Benefit No. 13 within County Service Area No. 5
Condition of Approval No. 24

CONTACT: Jered Reinking, Senior Civil Engineer (223-6226)

Overview

This project consists of 30.7± acres divided into 28 parcels ranging in size from 0.8 to 2.4 acres for the purpose of residential home sites located south of Ridge Road just west of Ridge Road/Highway 88 junction in Pine Grove. As a Condition of Approval to record any Final Map(s), the Subdivider (Del Rapini Construction, Inc.) is required to apply for and the Board of Supervisors shall vote to form a Zone of Benefit in County Service Area No. 5 for Mineral Ridge Drive, Bluff Court and Rapini Court. The Department of Transportation and Public Works has received, accepted and processed the application and petition to establish the zone of benefit from the Subdivider.

Recommendations

1. Hold a public hearing regarding the formation of Zone of Benefit No. 13 within County Service Area No. 5 and make certain findings according to County of Amador Policy and Procedures
2. Approve resolution for the formation of Zone of Benefit No. 13 within County Service Area No. 5

Fiscal Impact

Parcels within the approved Zone of Benefit No. 13 are to be assessed in order to provide funds for the maintenance, repair and replacement of pavement (including without limitation signage and striping) and associated drainage structures and conveyances for Mineral Ridge Drive, Rapini Court, Bluff Court according to the calculation contained in the documentation at the time when improvements or any portion thereof are accepted for dedication by the Board of Supervisors.

BACKGROUND

On March 8, 2005 the Board of Supervisors took action to approve the Revised Pine Grove Bluffs Tentative Subdivision Map No. 123 (Project) and subsequent Conditions of Approval and Mitigation Monitoring Program. This project consists of 30.7± acres divided into 28 parcels ranging in size from 0.8 to 2.4 acres for the purpose of residential home sites located south of Ridge Road just west of Ridge Road/Highway 88 junction in Pine Grove.

DISCUSSION

The formation of a zone of benefit is required by Condition of Approval No. 24. Condition of Approval No. 24 reads:

"Prior to recordation of any Final Map(s) the subdivider shall apply for and the Board of Supervisors shall vote to form a zone of Benefit in County Service Area No. 5 for Mineral Ridge Drive, Bluff Court and Rapini Court. Said CSA #5 Zone of Benefit requirement shall be met if the Peterson Ranch CSA #5 Zone of Benefit is created and includes Mineral Ridge Drive, Rapini Court and Bluff Court through this subdivision."

Peterson Ranch CSA#5 Zone of Benefit #10 was created in October 2004, but does not contain Mineral Ridge Drive, Rapini Court and Bluff Court. Since this is the case, formation of Zone of Benefit #13 is required for this subdivision. Upon approval of the resolution to form Zone of Benefit No. 13 within County Service Area No. 5, this condition of approval shall be satisfied.

MEASURES/EVALUATION

Measures or an evaluation are not applicable to this agenda item.

LEGAL ANALYSIS

The following Amador County Code Sections apply (primarily) for this agenda item:

County Code Chapter 12.08.082 Requirement that new county roads be maintained through a county service area.

County Code Chapter 12.08.084 Drainage improvements, driveway approaches, postal service encroachments, and other appurtenances required.

County Code Chapter 12.08.086 Procedure for establishing and collecting charges for roads in county service areas.

Other code sections within California Law apply to this agenda item. Applicable California Code sections have been reviewed and incorporated accordingly by County Counsel's Office.

FINANCIAL ANALYSIS

Parcels within the approved Zone of Benefit No. 13 are to be assessed in order to provide funds for the maintenance, repair and replacement of pavement (including without limitation signage and striping) and associated drainage structures and conveyances for Mineral Ridge Drive, Rapini Court, Bluff Court according to the calculation contained in the documentation at the time when improvements or any portion thereof are accepted for dedication by the Board of Supervisors.

Attachments:

Resolution
Exhibit A
Exhibit B
Exhibit C

cc: Aaron Brusatori, Director

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

IN THE MATTER OF:

RESOLUTION APPROVING FORMATION OF ZONE) RESOLUTION NO. 15 xxxx
OF BENEFIT 13 IN COUNTY SERVICE AREA NO. 5)
(PINE GROVE BLUFFS PHASE 1 AND LATER)
PHASES))
)
)
PROPERTY OWNER: DEL RAPINI CONSTRUCTION, INC.)

WHEREAS, the Board of Supervisors of Amador County has received a petition signed by 100% of the property owners within proposed Zone of Benefit 13 in County Service Area No. 5 (Pine Grove Bluffs Phase 1 and later phases) requesting formation of said Zone of Benefit for the purposes of maintenance, repair and replacement of pavement (including without limitation signage and striping) and drainage structures and conveyances located within Zone of Benefit 13; and

WHEREAS, the property owner desires the creation of a Zone of Benefit pursuant to Government Code section 25217 *et seq.* for the subdivision of Pine Grove Bluffs to satisfy the conditions to obtain final map approval, the boundaries of which are more particularly described in Exhibits A and B; attached hereto and incorporated herein by reference; and

WHEREAS, the owner has irrevocably offered for dedication the following named roads on the Final Map of Pine Grove Bluffs Phase 1: portions of Mineral Ridge Drive, Rapini Court, and Bluff Court; and

WHEREAS, the total length of the roads and drainage structures and conveyances to be maintained within Zone of Benefit 13 is 3,244 feet; and

WHEREAS, the improvements to Mineral Ridge Dr., Rapini Court, and Bluff Court together with other roads and drainage structures and conveyances constructed within Zone of Benefit 13 for Phase 1 and later phases are referred to herein as the "Improvements." Phase 1 consists of 13 lots and incorporates all 3,244 feet of road for the Improvements. It is not anticipated that any additional pavement or associated drainage structures and conveyances will be constructed in later phases; and

WHEREAS, the Board of Supervisors of Amador County finds that the benefits to be derived from imposition of an assessment in the amounts calculated in accordance with the formulas (including inflationary adjustments and adjustments for additional Improvements) described in Exhibit C, attached hereto and incorporated herein by reference, are commensurate with the charges proposed to be assessed; and

WHEREAS, the Board of Supervisors of Amador County held a Public Hearing on October 13, 2015 to accept public testimony regarding the proposed formation of a Zone of Benefit 13 within County Service Area No. 5 for Pine Grove Bluffs Phase 1 and later phases; and

WHEREAS, the Board of Supervisors of Amador County finds that a notice of assessment and ballot have been sent to all property owners within proposed Zone of Benefit 13 with unanimous approval of the assessment charge by the property owners.

THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve the formation of Zone of Benefit 13 (Pine Grove Bluffs, Phase 1 and later phases) within County Service Area No. 5, as shown on the attached map and legal description of the boundary thereof in accordance with Section 4 of Article XIID of the California Constitution and pursuant to California Government Code section 25210 *et seq.*; and

BE IT FURTHER RESOLVED that the Auditor/Controller of Amador County is hereby directed to assess each parcel the assessments calculated in accordance with Exhibit C when the Improvements or any portion thereof are accepted for dedication, and to adjust such assessments in the manner described in Exhibit 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 ____th day of _____ 2015, by the following vote:

AYES: John Plasse, Richard M. Forster, Louis D. Boitano, Lynn Morgan, and Brian Oneto

NOES: None

ABSENT: None

Chairman, Board of Supervisors

ATTEST:

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

Deputy

EXHIBIT "A"

DESCRIPTION FOR PINE GROVE BLUFFS County Service Area No. 5, Zone of Benefit No. 13

A parcel of land situated in the County of Amador, State of California, and being a portion of Sections 32 and 33, Township 7 North, Range 12 East, Mount Diablo Meridian, and being more particularly described as follows:

Beginning at a 2 inch iron pipe marking the Southeast corner of the hereinabove referred to Section 32, being also the Southeast corner of that certain parcel of land delineated and designated "REMAINDER", upon that certain official maps entitled "FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS PHASE 1", and recorded in the office of the Recorder of Amador County in Book 9 of Subdivision Maps at Page 53, et seq, and "FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS PHASE 2, recorded in Book _____ of Subdivision Maps at Page _____, et seq;

thence, (1) from said point of beginning, along the South line of said Section 32, being also the North line of County Service Area No. 5, Zone of Benefit No. 10, for Petersen Ranch Unit 2, South 87° 58' 27" West 1295.57 feet to the Southwest corner of said Pine Grove Bluffs Unit 1

thence, leaving said lines, (2) North 01° 57' 41" East 956.77 feet to the Northwest corner thereof;

thence, (3) North 78° 01' 25" East 226.55 feet;

thence, (4) North 77° 19' 53" East 1.77 feet;

thence, (5) North 89° 27' 56" East 92.25 feet;

thence, (6) North 78° 12' 46" East 209.36 feet;

thence, (7) North 11° 50' 51" West 225.08 feet;

thence, (8) North 78° 11' 47" East 49.80 feet;

thence, (9) South 11° 50' 51" East 124.95 feet;

thence, (10) North 78° 08' 29" East 254.02 feet;

thence, (11) South 87° 07' 45" East 168.87 feet;

thence, (12) North 02° 49' 28" East 123.67 feet;

thence, (13) South 87° 46' 23" East 99.94 feet;

Page 2

thence, (14) South 02° 53' 55" West 129.31 feet;

thence, (15) South 72° 10' 52" East 202.93 feet;

thence, (16) North 18° 38' 57" East 125.02 feet;

thence, (17) South 72° 11' 39" East 100.24 feet to the Northeast corner of said Pine Grove Bluffs Unit 1;

thence, (18) South 17° 48' 21" West 5.00 feet;

thence, (19) along the arc of a non-tangent curve to the left, from a tangent which bears North 72° 11' 39" West, having a radius of 30.00 feet, through a central angle of 88° 41' 30", for an arc length of 46.44 feet;

thence, (20) South 19° 06' 51" West 101.13 feet;

thence, (21) along the arc of a curve to the left, having a radius of 220.00 feet, through a central angle of 37° 51' 42", for an arc length of 145.38 feet;

thence, (22) along the arc of a curve to the right, having a radius of 255.00 feet, through a central angle of 12° 03' 31", for an arc length of 53.67 feet;

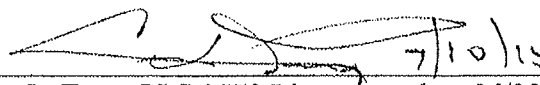
thence, (23) North 83° 18' 39" East 20.00 feet;

thence, (24) along the arc of a non-tangent curve to the right, from a tangent which bears South 06° 41' 21" East, having a radius of 275.00 feet, through a central angle of 14° 40' 07", for an arc length of 70.40 feet;

thence, (25) South 07° 58' 46" West 322.60 feet;

thence, (26) South 14° 09' 25" West 185.85 feet;

thence, (27) South 00° 00' 00" West 287.94 feet to the point of beginning, containing 33.44 acres of land, more or less.


Ciro L. Toma PLS 3570 License expires 06/30/08

06/25/15

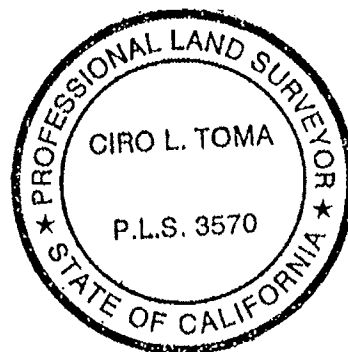


EXHIBIT "B"

COUNTY SERVICE AREA No. 5 ZONE OF BENEFIT No. 13

for

FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS

DEL RAPINI CONSTRUCTION, INC., a California Corporation
2005012391 and 20090004645

BEING A PORTION OF THE SW 1/4 SECTION 33 AND THE SE 1/4 SECTION 32
T. 7 N., R. 12 E., M. D. N.
COUNTY OF AMADOR, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

I, CRO L. TOMA, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, DO HEREBY
STATE THAT THIS MAP WAS PREPARED UNDER MY DIRECTION IN JUNE OF 2015.

DATE: JULY 13, 2015

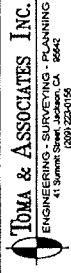


Cro L. Toma
CRO L. TOMA
P.L.S. 3570
MY LICENSE EXPIRES 6-30-2018

NOTES and LEGEND

- DENOTES COUNTY MAINTAINED AREA UNDER CSA No. 5, ZONE OF BENEFIT 13, ENTIRE PROPERTY AS SHOWN
- DENOTES DIMENSION POINT
- DENOTES EXISTING C.S.A. BOUNDARY
- DENOTES COURSE NUMBER TO CORRESPOND WITH LEGAL DESCRIPTION
- ROADS WILL ONLY BE MAINTAINED UNDER CSA No. 5, OR OTHERWISE UPON ACCEPTANCE OF DEDICATION BY COUNTY, WHOLE OR IN PART.

TOTAL AREA = 33.44 ACRES
TOTAL LENGTH OF ROADS TO BE MAINTAINED PER THIS MAP = 3244'
TOTAL NUMBER OF LOTS = 28



PROPOSED ANNEXATION TO
COUNTY SERVICE AREA No. 5
ZONE OF BENEFIT No. 13
PINE GROVE BLUFFS

Scale: 1"=200' June, 2015

REVIEWED BY
SURVEYING AND
ENGINEERING

S.A.Z.

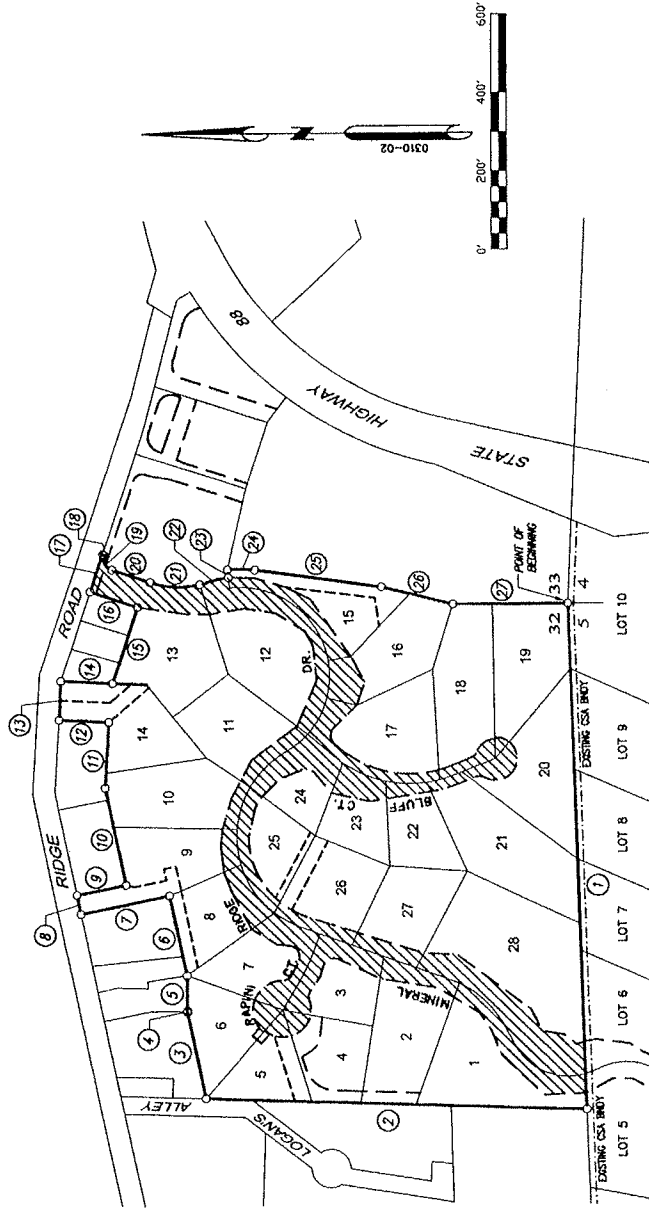
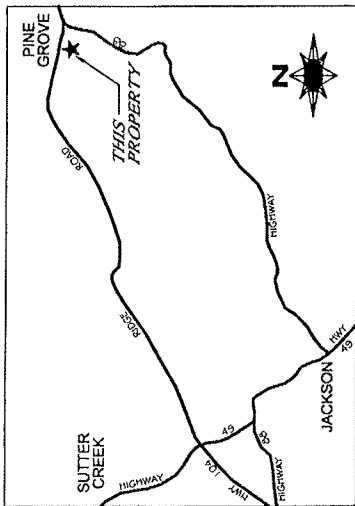
APPROVED: _____ DATE: _____

FILED

DISAPPROVED: _____ DATE: _____

SHEET 1 OF 1 SHEET

COURSE DATA TABLE		
1	S 87°58'27" W 1285.57'	15 S 72°10'52" E 202.93'
2	H 01°57'41" E 956.77'	16 N 18°38'57" E 125.02'
3	H 78°01'25" E 226.55'	17 S 72°11'39" E 100.24'
4	N 77°19'53" E 1.77'	18 S 17°48'21" W(R) 5.00'
5	N 89°27'56" E 92.25'	19 R=30.00' D=88°41'30" L=48.44'
6	N 78°12'45" E 208.36'	20 S 19°05'51" W 101.13'
7	N 11°50'51" W 225.08'	21 R=220.00' D=37°51'42" L=145.38'
8	H 28°11'47" E 48.80'	22 R=555.00' D=12°23'31" L=53.87'
9	S 71°50'51" E 124.35'	23 N 83°18'39" E(R) 23.00'
10	N 78°08'29" E 234.02'	24 R=275.00' D=14°46'07" L=76.40'
11	S 87°07'45" E 1688.87'	25 S 07°58'46" W 322.80'
12	N 02°49'28" E 123.67'	26 S 14°09'25" W 185.85'
13	S 87°46'23" E 98.94'	27 S 00°00'00" W 287.84'
14	S 02°53'55" W 129.31'	



CSA 5, ZONE OF BENEFIT 10
PETERSEN RANCH UNIT 2
SEE 9-SUBS-28

Exhibit "C"
Resolution No. 15-xxxx
County Service Area No. 5 – Zone of Benefit 13
Pine Grove Bluffs, Phase 1 and Later Phases

I. Reasons for imposing the assessment:

This assessment is being imposed in order to provide funds for the following:

Maintenance, repair and replacement of pavement (including without limitation signage and striping) and associated drainage structures and conveyances for Mineral Ridge Drive, Rapini Court, Bluff Court, within the boundaries of Zone of Benefit 13.

II. Boundaries of Zone of Benefit 13:

The boundaries for Zone of Benefit 13 are described in Exhibits "A" and "B." The Phase 1 lots (Lots 1-4, 20-28) being assessed for the Zone of Benefit include: APNs 030-740-001; 030-740-002, 030-740-003, 030-740-004, 030-740-005, 030-740-006, 030-740-007, 030-740-008, 030-740-009, 030-740-010, 030-740-011, 030-740-012, 030-740-013.

As later phases are completed, the remaining lots (Lots 5-19) currently identified as APNs 030-740-017 and 030-740-018 will be assessed as set forth below.

III. Proposed Fiscal Year 2015-16 assessment:

Approximately 3,244 feet of road for Mineral Ridge Drive, Rapini Court, Bluff Court, and associated drainage structures and conveyances (referred to as the "Improvements") are expected to be accepted for maintenance by the County in fiscal year 2015-16. At that time, assessments to provide funds for maintenance, repair and replacement for the completed Improvements will begin to be imposed. It is not anticipated that any additional pavement or associated drainage structures and conveyances will be constructed in later phases.

Annual costs for the entire Zone of Benefit 13 will be determined based upon proposed phasing of final map recordation. Phase 1 consists of 13 lots and incorporates all 3,244 feet of road for the Improvements. The total annual assessment for the entire Zone of Benefit 13 for the Improvements if they are accepted in September 2015 has been calculated to be \$6,904.80. (See below for calculation of assessment following completion of later phases of project.)

IV. Manner in which the assessment was calculated:

The total annual assessment amount of \$6,904.80 for the entire Zone of Benefit 13 Improvements was derived from applying a projected maintenance, repair and replacement cost of \$8,000 per mile (Fiscal Year 2004-05 dollars) to the length of the Improvements (3,244 feet). According to the Engineer's Report submitted for the Improvements, all 13 lots within Phase 1 will benefit equally from the Improvements. Therefore, the annual cost per Phase 1 lot is \$531.14.

These figures are more particularly explained in the Engineer's Report for the project prepared by Toma & Associates (Jesse B. Shaw, R.P.E. 36436) dated July 31, 2007, updated June 26, 2015 and August 17, 2015, and the calculation of the annual adjustments from 2004 to 2015 using the California Construction Cost Index, which are available for review at the offices of Amador County Transportation and Public Works, 810 Court Street, Jackson, CA 95642.

The Engineer's Report has also found that, as additional lots in later phases of Pine Grove Bluffs are developed, the total costs of all improvements should be shared among all lots in the same fashion as set forth above (i.e., costs of maintenance, repair and replacement of roads and associated drainage structures and conveyances will be apportioned equally among all lots). The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel. The remainder of the Pine Grove Bluffs project consists of 15 additional lots, to be constructed in one or more phases, for a total of 28 lots in the Pine Grove Bluffs Subdivision.

Until recordation of final maps for later phases of Pine Grove Bluffs, only Phase 1 lots will benefit from the Improvements. Therefore, until recordation of additional final maps, the entire cost of the assessment for the Improvements will be apportioned to Lots 1-4 and 20-28.

The actual amount assessed against each Lot for the Improvements will be adjusted for inflation or deflation as of the time of acceptance of dedication of the completed Improvements.

As additional final maps are recorded, the number of lots that will bear the total assessment costs will increase. Therefore, at the time of completion and acceptance of the recordation of additional final maps, the revised assessment cost for each parcel will be apportioned among the total number of lots created in all such phases. Total annual maintenance, repair and replacement costs for all improvements will continue to be apportioned equally to all lots in all phases. For example, if all maps were recorded creating a total of 28 lots in Phase 1 and all later phases, the annual assessment for each lot will be \$246.60 (in 2015 dollars) for the combined road and drainage system length of 3,244 feet for all phases.

The above figures have been developed for Fiscal Year 2015-16. If the roads are not accepted by September 2015, the assessment for the Phase 1 Improvements will be adjusted for inflation or deflation using the Index (defined below).

After imposition of the assessments for the Improvements, the annual assessments for Zone of Benefit 13 will be adjusted as follows:

The annual per mile cost of \$8,000 for maintenance, repair and replacement of roads and associated drainage structures and conveyances will be adjusted annually for inflation or deflation using the cost listed above for Fiscal Year 2004-05 as the Base Year and the Construction Cost Index 20 City 1913=100 (the "Index"), as published in *Engineering News-Record* and available at www.enr.com (or a replacement index having most nearly the same effect). Adjustments shall be calculated as follows: Upon acceptance of dedication of the Improvements, the total amount of the assessment listed above shall be multiplied by a fraction, the numerator of which shall be the Index of the calendar month immediately prior to the month in which the adjustment is to take effect, and the denominator of which shall be the Index for the calendar month in which Zone of Benefit 13 is formed by the Board of Supervisors. Additional inflationary adjustments shall be made as of July 1 of each year, using the Index for the immediately preceding June as the numerator and the Index of the calendar month in which Zone of Benefit 13 is formed as the denominator.

NOTICE OF PUBLIC HEARING
County Service Area No. 5
Formation of Zone of Benefit 13
Pine Grove Bluffs Subdivision

TO: Property Owner of Record: Del Rapini Construction, Inc.

Property Description: 33.44 acre subdivision consisting of various lots located at and near the intersection of Ridge Road and Mineral Ridge Drive.

Lots 1 through 28 as depicted on the proposed County Service Area No. 5 Zone of Benefit No. 13 for Final Subdivision Map No. 123, Pine Grove Bluffs. See attached Exhibits "A" and "B."

FROM: Jennifer Burns, Clerk of the Board of Supervisors, County of Amador

DATE: October 13, 2015

SUBJECT: Formation of Zone of Benefit 13, County Service Area No. 5

The purpose of this notice is to provide you with information about a hearing relative to formation of Zone of Benefit 13 within Amador County Service Area No. 5 and its effect on real property that you own. This notice is being sent to you in accordance with Section 53753 of the California Government Code, and Section 4 of Article XIID of the California Constitution.

NOTICE IS HEREBY GIVEN that:

- The Amador County Board of Supervisors will hold a public hearing relative to the formation of Zone of Benefit 13 in County Service Area No. 5 (Pine Grove Bluffs Subdivision) for the maintenance, repair and replacement of pavement (including signage and striping) and associated drainage structures and conveyances for Mineral Ridge Drive, Rapini Court, and Bluff Court. The hearing will be held on the following day at the following time: October 13, 2015 at 10:30 a.m. (or as soon thereafter as the matter can be heard).
- The hearing will be held in the chambers of the Board of Supervisors of Amador County, 810 Court Street Jackson, California 95642. All interested persons may come and be heard upon the subject matter of the hearing.

If you have any questions concerning the assessment ballot proceeding, please call or write to:

Jennifer Burns, Clerk of the Board of Supervisors of Amador County
810 Court Street
Jackson, CA 95642

jburns@amadorgov.org
(209) 223-6470