

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, May 13, 2014
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

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

Present on Roll Call:

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

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

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

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

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

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

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

ACTION: Update given.

Conference with Real Property Negotiators:

APN: 077-100-015; 10681 Shenandoah Road, Plymouth, CA 95669 –Dick, Ghabrial & Powell
APN: 015-010-028; 12850 Fiddletown Road, Plymouth, CA 95669-Amoruso Family Living Trust

APN: 015-120-044; 15545 Shakeridge Road, Sutter Creek, CA 95685-F&J Oneto Ranch L.P.

APN: 021-050-041; No Site Address, Located on Fiddletown Road- Wetsel-Oviatt Lumber Company

APN: 023-010-025; No Site Address, Located on Fiddletown Road- Wetsel-Oviatt Lumber Company

APN: 023-250-013; 24144 Shakeridge Road, Volcano, CA 95689- Anselmi Trust and Peccianti Trust

APN 030-010-127; 17840 Shakeride Road, Sutter Creek, CA 95685-Burke, David L. (County Negotiators: Charles T. Iley, County Administrative Officer and Aaron Brusatori, Community Development Director. (Terms and Conditions)

ACTION: Direction given to staff.

Conference with County Counsel - Existing Litigation [Government Code 54956.9(a)]:

County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)

ACTION: Nothing to report.

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

ACTION: Nothing to report.

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

Buena Vista Rancheria [Government Code 54956.9 (b)]

ACTION: Nothing to report.

Confidential Minutes: Review and approval of the confidential minutes of April 22, 2014.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to approve the confidential minutes of April 22, 2014.

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

Chairman Novelli requested the following amendments be made to the agenda:

Item #8: ACES Waste Services Inc. Refuse Rate Adjustment Request 2014: Discussion and possible action relative to consideration of a 2014 Refuse Rate Adjustment request from ACES Waste Service Inc. and corresponding analysis and report by R3 Consulting Group Inc.

Chairman Novelli requested the above item be continued to a future meeting date at the request of Supervisor Boitano as he did not have adequate time to review the materials. Mr. Greg Gillott, County Counsel advised since this item is on the agenda, and there may be members of the public present to address it, the Board should not pull it from the agenda entirely, but take any comments and then continue to a future Board meeting date.

Item #13: Minutes: Discussion and possible action relative to review and approval of the April 8, 2014 and April 15, 2014 Board of Supervisors Meeting Minutes.

Chairman Novelli requested the minutes of April 8, 2015 be held over for approval at a future Board meeting.

ACTION: Approved pursuant to the following motion.

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

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

Young Eagle Flights: Mr. Dave Sheppard, Airport Manager invited the public and the Board to visit the Airport on May 17, 2014 from 9:00 a.m. to 3:00 p.m. and to bring family members or friends between the ages of eight and seventeen who will be treated to a complimentary flight by the Young Eagles.

Kennedy Mine BBQ: Supervisor John Plasse announced that the annual Kennedy Mine and Amador Recreation Agency deep pit BBQ will be held May 16, 2014 at the Kennedy Mine. He encouraged everyone that appreciates the historical preservation efforts of the Kennedy Mine Foundation or the educational and recreational opportunities ACRA provides to attend this fundraiser. Gates open at 5:00 p.m. and tickets can be purchased for \$25.00 each.

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

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

REGULAR AGENDA

Supervisor Oneto recused himself at this time to avoid any potential conflict of interest issues associated with owning property near the subject area. He advised he has made a request of the FPPC to determine if a conflict exists, but will recuse himself until the ruling is made.

U.S. Forest Service Power Fire Restoration Project: Discussion and possible action regarding the Forest Service proposed action for the Power Fire Restoration project.

Mr. Rick Hobson, USFS District Ranger, addressed the Board and provided a brief summary of the Power Fire by stating the fire was reported in the afternoon of October 6, 2004, on the north side of Salt Springs Reservoir Dam, located approximately 17 air miles east of Pioneer, California, in Amador County. He continued by stating the fire burned with varying intensity. Approximately 38 percent of the land area burned at low intensity (killing less than 25% of the trees). Nearly 50 percent of the area burned at high intensity, killing 75% to 100% of the trees and burning the duff and litter that protects the soil. He also stated another 13 percent burned at moderate intensity, killing 25 to 75 percent of the trees. In the high and moderate intensity areas the fire resulted in high rates of soil erosion, sedimentation to streams, and loss of old forest habitat for sensitive species. Mr. Hobson stated the fire spurred a lawsuit against PG&E and its contractors resulting in a \$45 million dollar settlement to be used to achieve ecological restoration for the impacted forest areas. He continued by noting the USFS has three years to expend the funds and although there is a specific nexus as to what the funds can be used for, some examples may be, but not limited to, trail repair, road work such as paving, grading and brushing, culvert replacement, and habitat repair for fish species, toads, salamanders etc. Mr. Hobson stated it is the intention of the USFS to hire local contractors whenever possible to accomplish some of this work.

Further discussion ensued with Mr. John Hofmann, County Consultant, reviewing a draft letter for Board consideration relative to the Notice of Intent to prepare an environmental impact statement by the Forest Service. Mr. Hofmann advised the Board should file a letter by May 30, 2014, he noted the absolute deadline is June 6, 2014, 30 days from the date of publication in the Federal Register. He also noted a draft environmental impact statement is expected in July 2014 and the final environmental impact statement is expected in November 2014.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to authorize the Chairman's signature on a comment letter relative to the Notice of Intent to prepare an environmental impact statement for the Power Fire Reforestation Project.

Ayes: Supervisors Boitano, Plasse, Novelli and Forster

Noes: None

Recused: Supervisor Oneto

Community Development Block Grant-River Pines: Discussion and possible action relative to payment of costs associated with the CDBG Application for the River Pine water project.

Supervisor Oneto stated River Pines is seeking assistance with the costs associated with preparing the CDBG Grant application and associated work performed by Terry Cox, Cox Consulting. Supervisor Oneto stated the cost for these services is \$1,500.00,

Discussion ensued with the following action being taken.

ACTION: Supervisor Oneto will pay the cost for services in the amount of \$1,500.00 out of the District V discretionary fund.

Supervisor Plasse recused himself from this matter to avoid any potential conflict of interest issues resulting from a family member being employed by ACES Waste Services Inc.

ACES Waste Services Inc. Refuse Rate Adjustment Request 2014: Discussion and possible action relative to consideration of a 2014 Refuse Rate Adjustment request from ACES Waste Service Inc. and corresponding analysis and report by R3 Consulting Group Inc.

ACTION: Consensus of the Board to refer this matter back to the Public Works Committee and bring back to the Board at a future meeting.

Supervisor Plasse returned to the meeting at this time.

Planning Department: Discussion and possible action relative to a request by A & D Pinotti Trust to implement Conditions No. 61.1 through 61.1.7 of the Lincoln Mine Use Permit related to decrease in water flows to their property.

Supervisor Boitano recused himself from this matter to avoid any potential conflict of interest issues due to family members previously working for Sutter Gold Mine.

Ms. Susan Grijalva, Planning Director, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

At this time the Board heard from Ms. Jean Pinotti, representing Aldo and Dorothy Pinotti Family Trust, who provided a lengthy explanation of the history of the subject property and water rights as well as alleging that operations at Sutter Gold Mine relative to the Lincoln Mine Project have adversely impacted spring and surface water flows. Ms. Pinotti stated the flow rate of the spring to which the Trust has water rights, declined to five gallons per minute on September 16th or 17th 2012. She also noted that past spring flows have been measured at thirty seven gallons per minute, and the decline in spring flow is a significant loss and the mitigation for the loss is detailed in the Lincoln Mine Project EIR and Conditional Use Permit.

Mr. David Cochrane, Vice President of Sutter Gold Mining Company, addressed the Board at this time and reviewed lengthy documentation that is incorporated in full in the Board packet for today's date. He stated in summary that Sutter has not encountered a major water bearing formation which would be considered a significant impact to underlying groundwater movement as defined in Impact Statement 61. In addition, he stated, Sutter's pumping, treating and discharging of mine waters over the last 19 years consistent with baseline conditions, and therefore do not constitute a major alteration of groundwater movement, also as defined in impact statement 61. Mr. Cochrane stated he does not feel the Sutter's operations at the Lincoln Mine are a probable source of the alleged diminished spring and stream flows and does not feel additional mitigation is required at this time.

(It should be noted that the Board packet for this item is very lengthy, but is available for public review at the Board Office during regular business hours. The audio of today's discussion can also be accessed on the County website www.co.amador.ca.us).

Lengthy discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Forster, and unanimously carried to direct staff to implement section 61.1.6. from the Findings and Conditions of Approval in the Conditional Use Permit for the Lincoln Project which state in part, if a decrease of 25% or more in the groundwater levels or spring/seep flows within the established monitoring area, the County may hire, at the expense of the Permittee, a qualified hydrogeologist to determine the probability the project construction or mining operations being conducted could cause the decrease.

Ayes: Supervisors Plasse, Forster, Novelli and Oneto

Noes: None

Recused: Supervisor Boitano

Supervisor Boitano returned to the meeting at this time.

General Services Administration: Discussion and possible action relative to bat mitigation at Chew Kee store and memorial monument.

Ms. Alice Kaiser, Fiddletown Preservation Society, addressed the Board and explained the problems associated with the bat issue at the Chew Kee Store. She stated she has obtained an estimate of approximately \$3,600 for bat mitigation services.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Boitano and unanimously carried to equally share the cost of bat remediation with the Fiddletown Preservation Society in the amount of \$1,800.00.

Further discussion ensued relative to moving the constructed donor monument located in the empty lot next to the General Store to facilitate ADA requirements.

ACTION: Consensus of the Board to direct Supervisors Oneto and Novelli to meet with the Fiddletown Preservation Society to discuss site location options for the monument.

Administrative Office: Discussion and possible action relative to Early Retirement Incentive Plan Option 2-Cash Option.

Mr. Chuck Iley, County Administrative Officer, summarized this item by stating last month the Board approved an Early Retirement Incentive program that offered \$1,000 per year of service, provided that the employee voluntarily left County employment by July 15, 2014. He explained the money involved in that incentive would be placed into a Health Savings Account (HAS), where it could be spent on health related costs until the account is depleted. He noted this offer would differ in that the funds would not be placed into an HAS, but rather given directly to the employee upon retirement. Mr. Iley stated from the County's standpoint, the only downside to this option is the fact the County will have to pay payroll taxes on the amount of money given to the employees, whereas the HAS method is tax-free to the County. Payroll taxes would cost the County an additional 7.65%.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and carried to move ahead with the County Administrative Officer's recommendation relative to the Early Retirement Incentive Option 2-Cash Option, as presented.

Ayes: Supervisors Novelli, Boitano and Oneto

Noes: Supervisors Plasse and Forster

Upper Mokelumne River Watershed Authority: Discussion and possible action relative to payment of a 2014 Supplemental Assessment to fund the development of an expedited Prop 84 Drought Grant Application.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried to approve payment in the amount of \$3,695.00 out of the Boards Professional Services budget line for the 2014 Supplemental Assessment.

Ayes: Supervisors Forster, Oneto, Novelli and Plasse

Noes: Supervisor Boitano

Minutes: Discussion and possible action relative to review and approval of the April 8, 2014 and April 15, 2014 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to approve the April 8, 2014 Board of Supervisors Meeting Minutes with minor corrections, and hold the April 15, 2014 meeting minutes over for approval at a future meeting.

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

PUBLIC HEARINGS

Planning Department : Discussion and possible action relative to a public hearing to consider adoption of an ordinance to amend Title 19 (Zoning) of the Amador County Code by adding definitions and zoning provision for child day care centers, child day care facilities and special needs housing.

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

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

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

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

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Plasse to adopt the ordinance amending Title 19 (Zoning) of the Amador County Code by adding definitions and zoning provision for child day care centers, child day care facilities and special needs housing, including the following findings:

Ayes: Supervisors Forster, Plasse

Noes: Supervisor Boitano

1. The proposed Zoning Code Amendment is consistent with the General Plan.
2. The proposed Zoning Code Amendment is consistent with other provisions of the Zoning Code and County Code.
3. This text amendment to the Zoning Code is exempt from the California Environmental Quality Act pursuant to Section 15183, Projects Consistent with a Community Plan or Zoning.

ORDINANCE NO. 1739

Ordinance amending Title 19 (Zoning) of the Amador County Code by adding definitions and zoning provision for child day care centers, child day care facilities and special needs housing,

Planning Department-Page Family Trust: Discussion and possible action relative to a public hearing to consider adoption of an ordinance for a Zone Change from the "R1A," Single Family Residential and Agricultural District to the "C-1," Retail, Commercial & Office District (APNs 014-053-004 & 014-053-005)

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

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

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

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

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

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to adopt an ordinance for a Zone Change from the "R1A," Single Family Residential and Agricultural District to the "C-1," Retail, Commercial & Office

District (APNs 014-053-004 & 014-053-005), including the following findings:

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

ORDINANCE NO. 1740

Ordinance for a Zone Change from the “R1A,” Single Family Residential and Agricultural District to the “C-1,” Retail, Commercial & Office District (APNs 014-053-004 & 014-053-005)

Planning Department-Runquist Family Trust: Discussion and possible action relative to a public hearing to consider adoption of an ordinance for a Zone Change from the “R1A,” Single Family Residential and Agricultural District to the “A,” Agricultural District to allow expanded winery uses. (APN: 007-070-060).

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

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

ACTION #1: Direction given pursuant to the following motion.

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

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

MOTION #2: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to adopt an ordinance for a Zone Change from the “R1A,” Single Family Residential and Agricultural District to the “A,” Agricultural District to allow expanded winery uses, including the following findings.

1. The Zone Change is consistent with the surrounding land uses and the Amador County General Plan, Land Use Element at this location; and
2. A review of the proposal was conducted by staff who, through their own research, found that the Zone Change will not have a significant effect on the environment and is Categorically Exempt from CEQA per Section 15183. Therefore, a Notice of Exemption will be adopted and filed with the County Recorder.
- 3.

ORDINANCE NO. 1741

Ordinance for a Zone Change from the “R1A,” Single Family Residential and Agricultural District to the “A,” Agricultural District to allow expanded winery uses.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

May 13, 2014

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

1. **BUDGET MATTERS**

- A. **Auditor-Controller:** Approval of a Budget Transfer to correct Adopted Budget Revenues for Local Community Correction 2390 in the amount of \$250,000.00 from Fund 2050.

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Mountain-Valley Emergency Medical Services Agency:** Approval of a resolution designating the week of May 18 through May 26, 2014 as *Emergency Medical Services Week*.
- B. **Health and Human Services:** Approval of a resolution for the *Mental Health Services Act (MHSA) Three-Year Program and Expenditure Plan* to provide the public an update of each component within MHSA: Community Services and Supports (including Permanent Supportive Housing); Prevention and Early Intervention; Workforce Education and Training; Innovation Projects; as well as Capital Facilities and Technology.
- C. **Treasurer/Tax Collector:** Approval of a Resolution discharging Tax Collector Michael E. Ryan from further accountability for the collection of amounts on Unsecured Tax Rolls (s) where the amounts are so small as to not justify the cost of collection or collection enforcement is impractical.
- D. **Transportation and Public Works:** Approval of a resolution authorizing the Chairman to sign the 2013/2014 *Regional Surface Transportation Program (RSTP) State Match and Exchange Funds* agreement with CALTRANS in the amount of \$131,208.00.

- E. **Human Resources:** Approval of a resolution *Salaries and Fringe Benefits for Confidential Employees* approving an update to the Unit reflecting several changes that have occurred since 2012. All updates were already included and approved in the 2013-2014 fiscal year Budget.
- The updates are as follows:
- Employees returned to a 40-hour Workweek
 - Add Human Resource Specialist
 - Add Budget Analyst
 - Pension Reform Changes
 - Correct position title Senior Analyst to Senior Administrative Analyst
- F. **Human Resources:** Approval of resolution *Salaries and Fringe Benefits for Mid-Management Employees* approving an update to the Unit reflecting several changes that have occurred since 2012. All updates were already included and approved in the 2013-2014 fiscal year Budget.
- The updates are as follows:
- Employees returned to a 40-hour Workweek
 - Pension Reform Changes
 - Add Chief Deputy Clerk/Recorder Local Registrar of Births and Deaths
 - Add Director of Solid Waste Programs/Safety Programs
 - Chief Building Official Salary Reduction
- G. **Human Resources:** Approval of a resolution *Salaries and Fringe Benefits for Management Employees* approving an update to the Unit reflecting the Pension Reform change that took effect on January 1, 2013. All new employees hired as new employees according to PERS regulations shall pay one-half of normal cost as determined by CalPERS.
- H. **Building Department:** Approval of a resolution authorizing recordation of three (3) *Agreements to Limit Uses of Agricultural Structure* between the County of Amador and *Norman D. Kolstad* and *Susan A. Kolstad* Building Permit No. AG01018, AG01019, and AG01020 (APN 012-140-017-000).
- I. **Amador Fire Protection District:** Approval of a resolution ratifying AFPD Ordinance No. AFPD 005, adopting the 2013 edition of the California Fire Code within the Amador Fire Protection District.
- J. **Probation Department:** Approval of a resolution approving Standard Agreement No. 5600004487 with California Department of Corrections and Rehabilitation and Amador County Probation Department to provide *Juvenile Diagnostic Services*.
- K. **Probation Department:** Approval of a resolution approving Standard Agreement No. 5600004488 with California Department of Corrections and Rehabilitation and Amador County Probation to provide *Juvenile Emergency Housing*.

4. AGREEMENTS

- A. **Health and Human Services:** Approval of a First Amendment to Services Agreement between the County of Amador and *Sierra Child and Family Services, Inc.* that modifies amount not to exceed \$300,000.00 for providing out-patient community based programs

- to emotionally disturbed girls and boys of Amador County.
- B. **Assessor's Office:** Approval of a *Megabyte Property Tax System Maintenance* Agreement and SQL-Server Database Support Agreement for 2014-2015 in the amount of \$9,139.64.
- C. **Planning Department:** Approval of a Fourteenth Amendment to Consulting Services Agreement with *AECOM Technical Services, Inc.* to provide professional assistance in updating the Amador County's General Plan which extends the term to June 30, 2015; and requests an increase of \$59,460.00 bringing the total contract amount for the General Plan Update and EIR to \$1,182,085.00.
- D. **Transportation and Public Works:** Approval of an Agreement for the *Sale of Valley Elderberry Longhorn Beetle* (VELB) Conservation Credits to Amador County between Delta Habitat, LLC Contract No. DH01-VCS/VTC 2012/2013 (Bank) and Amador County relative to an Elderberry bush located at Ridge Road/New York Ranch Road Intersection Improvements Project.
- E. **Transportation and Public Works:** Approval of an Agreement for Purchase of Property between the Amador County and *M. Luisa Almeida and Kevin R. Hempson*, husband and wife as joint tenants for the purchase of a sliver piece to obtain temporary construction easement located at Ridge Road/New York Ranch Road in the amount of \$11,062.00.
- F. **Transportation and Public Works:** Approval of a First Amendment to Agreement between Amador County and *Bennett Trenchless Engineers, Inc.* for Engineering and Design Services for the Rabbit Creek Causeway Culvert Repair Project – Phase II Culvert Replacement Project. Bennett is requesting a First Amendment to include the addition of Task 2 – Preliminary Engineering and Task 3 – Final design to the contract with a cost-not-to-exceed \$142,845.00, an increase of \$129,367.00. The department is requesting a contingency amount of \$9,400.00 to be included in this amendment.
- G. **Transportation and Public Works:** Approval of an agreement for Construction Engineering Services with *Bennett Trenchless Engineers, Inc.* for the Rabbit Creek Causeway Culvert Repair Project. The settlement agreement reached with EBMUD in 2009 has a "50/50" cost reimbursement for County's direct costs in installing the replacement culvert. EBMUD will not contribute to design costs incurred by the County and the department has separated Task 4 into a separate contract to capture the "50/50" direct cost reimbursement, instead of including it in the engineering and design services contract, which has "zero" reimbursement potential. This agreement has a cost-not-to-exceed amount of \$66,217.00. The department is requesting a contingency amount of \$11,570.00 to be included in this amendment.
- H. **Transportation and Public Works:** Approval of a Cooperative Agreement between the County of Amador and City of Plymouth regarding the *Shenandoah Road/Fiddletown Road Intersection Improvement Project*. The estimated program cost to complete this project is \$1,500,000.00. The project is financed through a combination of Federal and Local Traffic Mitigation Fee revenues and is included in Fiscal Year 2014-15 Requested Department Budgets.
- I. **General Services Administration:** Approval to award Bid No. 14-09 to *Terminix International Company* for pest control services for 14 different County locations in an amount not exceed \$869.40 per month for three (3) years (\$31,298.40) and; (2) approve the attached Maintenance Service Agreement.

J. **General Services Administration:** Approval to award Bid No. 14-02 to *49er Communications* for the purchase of thirty-one (31) Bendix King Radios in an amount of not to exceed \$28,960.20. Twenty four (24) radios for various fire departments and seven (7) radios for Office of Emergency Services (OES).

K. **General Services Administration:** Approval to award Bid No. 14-07 *Pape' Machinery* in Sacramento for the purchase of one Superior Broom Model DT80J including a cab with dual doors, surge brakes, spare wheel and tire, in the amount of \$51,891.84 and; authorize the Public Works Director to approve the purchase of the blade option if funding is available and determined to be viable for their operations.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

A. **Administrative Agency:** Approval of Early Retirement Incentive (ERI) Participants (s) for April 2014. Bryan Saleen has submitted his *Early Retirement Incentive Application and Agreement* with an effective retirement date of April 9, 2014. He has completed 34.433 years of service with the County of Amador. As per the agreement, Bryan will receive \$1,000.00 per year of service (partial years will be pro-rated).

8. **GENERAL CORRESPONDENCE**

A. Memorandum from the Building Department relative to a recap of activity during April 2014 totaling \$29,217.08.

B. Memorandum from the Environmental Health Department relative to a recap of activity during April, 2014 totaling \$14,463.50.

C. Auditor's check register dated April 22, 2014 totaling \$ 316,135.00.

D. Auditor's check register dated April 28, 2014 totaling \$ 344,401.44.

E. Auditor's check register dated May 5, 2014 totaling \$171,960.46.

F. Notice of Proposed Regulatory Action from the State Fish and Game Commission relative to Sections 300 and 708, Title 14, California Code of Regulations, relating to upland game bird, which will be published in the California Regulatory Notice Register on May 9, 2014.

THEODORE F. NOVELLI, Chairman
Board of Supervisors

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

Deputy