

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, January 12, 2016
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:

Brian Oneto, Chairman, District V
John Plasse, Vice-Chairman, District I
Richard M. Forster, Supervisor, District II
Louis D. Boitano, Supervisor, District IV
Lynn A. Morgan, Supervisor, District III

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

Absent: None

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 Oneto 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 8:00 a.m., the Board convened into closed session.**

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Chairman Oneto 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, and Darrell P. Murray, IEDA. Employee Organization: All Units

ACTION: Direction given to staff.

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

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Morgan and unanimously carried to approve the agenda as presented.

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.

Congressman Tom McClintock's Office: Mr. Matt Reed, Congressman Tom McClintock's Office, took this time to remind the Board and those present that he will hold "office hours" in Conference Room C today and encouraged any constituents with questions or concerns regarding the federal agency or policy to come by.

Local Physician's travel to Nepal: Supervisor Lynn Morgan took this time to announce that a number of physician's from Amador County, including Dr. Arnold Ziederman will be traveling to Nepal next week to provide free medical care to those in need.

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

Chairman Oneto advised the following item will be pulled from the agenda for today's date and voted on separately, as sufficient backup information for the item was not included in the Board packet.

Item 1C-Amador County Recreation Agency: Approval of a \$4,000 allocation to ACRA for the Mollie Joyce Park Wildland Fire Fuels Reduction Project.

ACTION: Direction given pursuant to the following motion.

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

ACTION: Having received sufficient information regarding this matter in the form of a budget transfer the following motion resulted.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Boitano and unanimously carried to approve the Item 1C as listed above.

REGULAR AGENDA

2016 Chairman and Vice Chairman: Discussion and possible action relative to the election of the 2016 Chairman and Vice Chairman for the Amador County Board of Supervisors.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to elect Supervisor John Plasse as Chairman for 2016 and Supervisor Boitano as Vice-Chair.

Passing of the Gavel and Presentation: Passing of the gavel to the incoming 2016 Chairman of the Board and presentation of a plaque honoring outgoing 2015 Chairman, Brian Oneto.

Chairman Plasse presented the gavel and plaque to outgoing Chairman Brian Oneto and thanked him for his service.

ACTION: None. Presentation only.

Sustainable Groundwater Management Act (SGMA): Discussion and possible action relative to potential participation in establishment of a Groundwater Sustainable Agency (GSA) and subsequently creation of a Groundwater Sustainable Plan (GSP), as set forth in the SGMA.

Mr. Gene Mancebo, Amador Water Agency Executive Director, addressed the Board and provided a summary of this matter.

Mr. Mike Israel, Environmental Health Director, also spoke relative to this item.

Discussion ensued with the following matter being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to authorize County staff to work with Jackson Valley Irrigation District and Amador Water Agency to form a Groundwater Sustainable Agency (GSA) and subsequently to establish a Groundwater Sustainable Plan; and appointment of Supervisors Oneto and Forster to serve on an Ad Hoc Committee relative to this matter.

Drought Safety Standards: Discussion and possible action relative to a presentation by Mr. Wendell Peart, District IV resident, regarding Drought Safety Standards as it relates to population growth.

Mr. Wendell Peart, District IV resident, addressed the Board and reviewed a letter he drafted to Ms. Felicia Marcus, Board Chairperson of the State Water Resource Control Board. In summary the letter encouraged implementation of a Drought Safety Standard and the reduction of immigration into the United States that in his opinion adversely affects the State's natural and financial resources.

It should be noted Mr. Peart's letter is hereby incorporated into these minutes as though set forth in full.

ACTION: None. Presentation only.

Administrative Agency: Discussion and possible action relative to adoption of a resolution approving the revenue sharing agreement between the County of Amador and the City of Jackson for Jackson Rancheria Development Corporation Annexation to the City of Jackson (Project #287). (Continued from December 22, 2015)

Chairman Plasse recused himself from this item to avoid any potential conflict of interest issues as he owns property adjoins the subject property.

Mr. Chuck Iley, County Administrative Officer addressed the Board and reviewed the subject item.

Discussion ensued with attention being brought to the fact that currently there is not a specified project for this proposed annexation, but rather a request for extension of a waterline. It was pointed out that another option for this issue would be for the applicant to enter into a contractual agreement with the City of Jackson to extend the waterline to the property, or consider drilling of a well.

Mr. Greg Gillott, County Counsel, stated the issue before the Board at this time is approval of the revenue sharing agreement. Opposition to the annexation specifically would come through the Local Area Formation Commission (LAFCO). The Board can oppose the annexation at this time but consider approval of the agreement. LAFCO will not hear the issue

of annexation until a revenue sharing agreement is in place.

Further 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 Morgan and carried to deny approval of the revenue sharing agreement between the County and the City of Jackson as it relates to Project #287 as presented.

Ayes: Supervisors Oneto, Boitano, Morgan

Noes: Supervisor Forster

Recused: Supervisor Plasse

Chairman Plasse returned to his seat at this time and was present for the remainder of the meeting.

2016 Committee Assignments: Discussion and possible action relative to adoption of Board of Supervisors Committee Assignments for 2016.

At this time the Board reviewed the proposed 2016 Committee Assignments as incorporated into these minutes as though set forth in full and included in the Board packet for today's date.

Supervisor Forster stated he would like to remain on the Housing Land Use and Transportation Committee (CSAC Committee) as they handle Indian affairs and gaming issues which then bleeds over to National Association of Counties (NACo) where he currently sits on the intergovernmental affairs committee, and specifically because NACo has a sub-committee that deals with Indian gaming. The proposed assignment indicates Supervisor Morgan as the appointee, however Supervisor Forster stated he has had a conversation with Supervisor Morgan and she is agreeable to him retaining his seat. Supervisor Forster went on to mention that there are three other CSAC Committees in need of appointees that perhaps Supervisor Morgan may consider; Government Finance and Operations, Health and Human Services and Administration of Justice. He noted while all three may be seeking members, it would be valuable to have the County represented on the Administration of Justice Committee at this time with the potential for the Governor to put forth an initiative for juvenile and adult reform. Supervisor Morgan indicated interest in this Committee and perhaps the other two if they do not conflict in meeting times and dates. Supervisor Morgan will look into the Committees and perhaps bring this matter back to the Board for appointment in the future. Therefore, Supervisor Forster would like to request to remain the on the Housing Land Use and Transportation Commission with Supervisor Boitano as the alternate.

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 2016 Committee Assignments as amended above.

Environmental Services Joint Powers Authority (ESJPA): Discussion and possible action relative to designation of the 2016 delegate and alternate for the ESJPA.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Forster to retain Supervisor Oneto as the primary delegate and Jim McHargue, Waste Management Director as the alternate.

Golden State Finance Authority (GSFA): Discussion and possible action relative to designation of the 2016 delegate and alternate for the GSFA.

ACTION: Chairman Plasse pointed out that the Golden State Finance Authority is duplicative of the CHF Homebuyers Fund listed on the Committee Assignments approved by the Board earlier in this meeting. Supervisors Oneto and Forster will serve as delegate and vice delegate.

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

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Morgan, and unanimously carried to approve the December 22, 2015 Board of Supervisors Meeting Minutes with minor correction.

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

PUBLIC HEARINGS:

Amador County Transportation Commission: Discussion and possible action relative to a public hearing to consider:

- Approval of the Amador County Regional Traffic Mitigation Fee (RTMF) Program Annual Status Report and Resolution supporting it.
- Approval of the Amended and Restated Memorandum of Understanding (MOU) updating the RTMF Program and Resolution supporting it.
- Adoption of a Resolution approving Amendment to RTMF Program.

Mr. John Gedney, ACTC Executive Director, summarized this matter and reviewed the proposed Amended and Restated Memorandum of Understanding and fielded questions from the Board.

Mr. Aaron Brusatori, Community Development Director, also spoke relative to this matter.

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

Mr. Tim Murphy, City of Sutter Creek, encouraged the Board to approve the amendments as presented. He noted the RTMF program has been working successfully and he does not see the need to hinder its progress by changing the process at this time. Mr. Murphy encouraged the Board to recommend changes to the Commission membership to include two County seats if they desire.

ACTION #1: Public Hearing closed 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 Boitano and unanimously carried to approve the Regional Transportation Mitigation Fee Annual Report; and approval of the Amended and Restated Memorandum of Understanding updating the RTMF Program (incorporating language relative to Commission membership, to include two County representatives, and Resolution supporting it; and approval of a Resolution approving amendment #2 to the MOU concerning the RTMF (fee adoption).

RESOLUTION NO. 16-007

Resolution approving Amendment to the Regional Traffic Mitigation Fee Program

RESOLUTION NO. 16-008

Resolution approving Amendment #2 to the Memorandum of Understanding between Amador County, its Cities and Amador County Transportation Commission concerning the Regional Traffic Mitigation Fee Program.

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 approximately 12:30 p.m., the Board convened into closed session. The following matters were heard.**

Conference with Real Property Negotiators: County Property 810 Court Street-APN 020 200-021-000; Scotty's Plaza-APN 020-200-019-000, 845-847 Court Street; (Terms & Conditions)

Negotiating Parties: Mr. Dave Carlson; County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

ACTION: **Direction given to staff.**

Public Employee Performance Evaluation: Discussion and possible action pursuant to Government Code Section 54957: Title-County Counsel

ACTION: **Direction given to staff.**

Public Employee Appointment of Employment: Discussion and possible action pursuant to Government Code Section 54957: Title County Counsel

ACTION: **Direction given to staff.**

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

ACTION: **Update given.**

County of Amador v. The United States Department of the Interior; United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

ACTION: **Nothing to report.**

Pine Grove Business Alliance v. County of Amador, et al; Amador County Superior Court; Case No. 14CV9062

ACTION: **Direction given to staff.**

Robert Clark and Christine Clark v. County of Amador, Bob Foy; et al; Amador County Superior Court; Case No. 14CV8712

ACTION: **Direction given to staff.**

Conference with County Counsel – Anticipated Litigation [Government Code 54956.9(d)(2)]:

Buena Vista Rancheria

ACTION: **Update given.**

Confidential Minutes: Review and approval of the confidential minutes for December 22, 2015.

ACTION: **Approved pursuant to the following motion.**

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to approve the confidential minutes of December 22, 2015.

REGULAR SESSION: At 12:00 p.m., the Board reconvened into regular session. Chairman Plasse reported the above issues were reviewed in closed session.

ADJOURNMENT: Until Tuesday, January 26, 2016, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

C O N S E N T A G E N D A

January 12, 2016

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. **Sheriff:** Request to increase budget in the amount of \$19,266.00 to reflect the award of a grant, for the purchase of marine patrol and dive team equipment.
- B. **General Services Administration:** Request to increase line item #52800 Special Department Expense for the Underground Storage Tank Closure Project, using cash fund balance carry-over from F/Y 14-15.
- C. **Amador County Recreation Agency:** Approval of a \$4,000 allocation to ACRA for the Mollie Joyce Park Wildland Fire Fuels Reduction Project.

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Board of Supervisors:** Approval of a resolution proclaiming the week of January 24 through 30 as Amador County School Choice Week. (Resolution #16-001)
- B. **Health and Human Services:** Approval of a resolution upon the retirement of Margot Bugni. (Resolution #16-002)
- C. **Treasurer/Tax Collector:** Approval of a resolution approving the annual Statement of Investment Policy. (Resolution #16-003)
- D. **Building Department:** Approval of a resolution authorizing the Chairman to sign an agreement between the County and Steven and Kathleen Lawler to construct a Limited Density Rural Dwelling. (Resolution #16-004)
- E. **Sheriff:** Approval of a resolution upon the retirement of Vickie Stephens. (Resolution #16-005)

4. **AGREEMENTS**

- A. **Health and Human Services:** Approval of an Agreement with BHC Heritage Oaks to provide Psychiatric Inpatient Treatment Services to Amador County clients. This agreement changes the term of previous agreement.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Law Library Committee:** Approval of the resignation of Renee C. Day; and the appointment of Andrea Sexton for a one year term ending December 31, 2016.
- B. **Law Library Committee:** Approval of the re-appointments of the following persons for the term ending December 31, 2016:
- Laura Endstadter
 - John Allen
 - Gail S. Smyth
 - Michael T. McEnroe

7. **MISCELLANEOUS**

- A. **Health and Human Services:** Approval of a request to backfill an Eligibility Worker I position in Social Services. This is a Merit System position and must be hired through the Merit System process.
- B. **Health and Human Services:** Approval of a request to hire and Finance Assistant I/II to fill the vacancy in the Conservator's Office.
- C. **Health and Human Services:** Approval of a request to revise the job description for the Mental Health Services Act (MHSA) Program Coordinator recruitment.

8. **GENERAL CORRESPONDENCE**

- A. A Notice of Proposed Regulatory Action relative to amending subsections 7.50(b)(5), (b)(68) and (b)(156).5), Title 14, California Code of Regulations, relating to central valley salmon sport fishing.
- B. A Notice of Proposed Regulatory Action relative to a finding pursuant to Section 2075.5, Fish and Game Code, listing Clear Lake hitch as threatened under the California Endangered Species Act is warranted.
- C. A Notice of Proposed Regulatory Action relative to Section 28.20, Title 14, California Code of Regulations, relating to Pacific halibut sport fishing.
- D. A Notice of Proposed Regulatory Action relative to adding Section 8.01, Title 14, California Code of Regulations relating to special measures for fisheries at risk due to drought conditions.

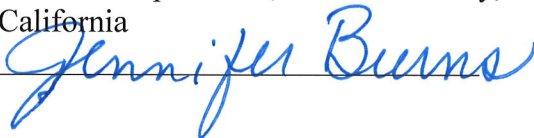
- E. A Notice of Proposed Regulatory Action relative to subsection (d) of Section 27.80, title 14, California Code of Regulations relating to ocean salmon sport fishing for April 2016.
- F. A Notice of Proposed Regulatory Action relative to subsection (d) of Section 27.80, title 14, California Code of Regulations relating to ocean salmon sport fishing after April 30, 2016.
- G. Commendation Letter from Ms. Judy Dias to Public Works road crew expressing gratitude for snow plowing on Christmas Eve, 2015.
- H. Memorandum from the Environmental Health Department relative to a recap of activity during December 2015 totaling \$10,039.00.
- I. Memorandum from the Building Department relative to a recap of activity during the current fiscal year totaling \$212,763.74
- J. Auditor's check register dated January 4, 2016 totaling \$457,947.66.



John Plasse, Chairman
Board of Supervisors

ATTEST:

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



Staff Contacts: Chuck Iley, County Administrative Officer
Jennifer Burns, Clerk of the Board
Teresa Wagstaff, Deputy Board Clerk I
810 Court Street, Jackson, California 95642
Telephone (209) 223-6470
FAX# (209) 257-0619
www.amadorgov.org