

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, February 23, 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:

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

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

Absent: Richard M. Forster, District II -**Attending National Association of Counties
Legislative Conference in Washington D.C.**

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 Plasse 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 Plasse 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.

Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}: Pine Grove Business Alliance v. County of Amador, et al; Amador County Superior Court; Case No. 14CV9062

ACTION: Update given.

Confidential Minutes: Review and approval of the confidential minutes for February 9, 2016.

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 for February 9, 2016.

Ayes: Supervisors Boitano, Oneto, and Morgan

Noes: None

Abstain: Supervisor Plasse

Absent: Supervisor Forster

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 Boitano, seconded by Supervisor Morgan and unanimously carried to approve the agenda as presented.

Ayes: Supervisors Boitano, Morgan, Plasse and Oneto

Noes: None

Absent: Supervisor Forster

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

2016 Public Safety and Rehabilitation Act: Mr. Todd Reibe, District Attorney, took this time to advise the Board and those present that the California District Attorneys Association has filed a writ of mandate seeking to direct Attorney General Kamela Harris to refrain from issuing the title and summary of Governor Jerry Brown's Public Safety and Rehabilitation Act for 2016.

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).

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

MOTION #1: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to approve the Consent Agenda as presented above.

Aye: Supervisor Boitano, Oneto, Plasse and Morgan

Noes: None

Absent: Supervisor Forster

REGULAR AGENDA

Kirkwood Meadows Public Utility District and Kirkwood Community: General update by Mr. Michael Sharp, KMPUD General Manager.

ACTION: None. Presentation only.

Pacific Gas and Electric Company Economic Vitality Grant: Presentation of the 2015 Pacific Gas and Electric Company Economic Vitality Grant in the amount of \$20,000.00 to the Amador Community College Foundation by PG&E representatives.

ACTION: None. Presentation only.

2015/16 Pavement Management Program Implementation: Discussion and possible action relative to staff direction to prepare plans specifications and estimates and advertise for bid the 2015/16 Pavement Management Plan Implementation.

Mr. Aaron Brusatori, Community Development Director, addressed the Board and summarized this matter by stating NCE Consulting has performed surveys of representative samples of each section of the County road system. After measuring distresses such as cracking

and weathering, a database was created using StreetSaver software. Based on the effect of each distress on the remaining service life of a pavement, each section was given a rating known as a Pavement Condition Index (PCI) between 1 and 100. He noted this number objectively groups pavements into the following categories:

- 70-100-Good
- 50-69-Fair due to age/weather
- 50-69-Fair due to loading
- 25-49-Poor
- 0-24-Very Poor/Failed

Mr. Brusatori also stated with the reality of limited funding, the software also determines which roads will benefit the most from treatment today, providing the longest remaining pavement life for a given budget. It should be noted the roads with the highest benefit-cost ratio are shown on a map included in the Board packet for today's date.

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 unanimously carried to direct staff to prepare plans, specifications and estimates and advertise for bids relative to the 2015/2016 Pavement Management Project.**

Ayes: **Supervisors Boitano, Oneto, Plasse and Morgan**

Noes: **None**

Absent: **Supervisor Forster**

Tree Mortality: Discussion and possible action relative to adopting a Declaration of Emergency for Tree Mortality in Amador County due to drought and bark beetle infestation.

Mr. John Hofmann, County Consultant, addressed the Board and summarized this matter by stating on October 20, 2015, Governor Brown of the State of California, issued an Executive Order related to unprecedented tree mortality due to drought conditions, directed state agencies to begin collaborating and partnering with local government to take action to remove dead and dying trees threatening public safety and infrastructure and approved California Disaster Assistance Act funding to assist in these efforts. He also noted the latest aerial survey estimated that over 29 million trees have died across California as a result of the drought and the effects of bark beetle infestation, up from 3.3 million in 2014. Mr. Hoffman stated he has had reports that tree mortality from bark beetle infestation has accelerated over the past few months in Amador County and many residents are in immediate need of resources to assist with removal of dead and dying trees. Mr. Hoffman continued by stating with adoption of an Emergency Declaration it will better align the County to request the assistance of the State of California in the coordination of resources to assist in the removal of dead and dying trees due to drought and bark beetle infestation. He stated Amador County will need to establish a tree mortality taskforce and charge it to develop a risk abatement plan, coordinate agency, organization and citizen efforts, seek funding, resolve barriers and maximize County resources. Mr. Hoffman also noted with

adoption of the Declaration it will subsequently request that the State of California include Amador County in the list of Priority Counties within the California Tree Mortality Task Force.

Discussion ensued with the Board concurring that this is a very serious problem and will likely get worse in the near future. The Board felt that adopting the Declaration of Emergency and identifying a task force will be a proactive step in procuring future funding to assist Amador County residents with the removal of dead and dying trees.

Discussion ensued with the following individuals wishing to speak relative to this matter:

Mr. Tom Tinsley, CalFire
Mr. Steve Bonner, District III resident
Mr. John Heissenbuttel, CalAm Forestry Team
Ms. Sherry Curtis, District III resident

The following action resulted.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Morgan, seconded by Supervisor Boitano and unanimously carried to adopt the following resolution declaring Local State of Emergency in Amador County due to pervasive tree mortality and authorize the Chairman of the Board to use his discretion to appoint members to a Tree Mortality Task Force.

Ayes: Supervisors Morgan, Boitano, Plasse and Oneto
Noes: None
Absent: Supervisor Forster

RESOLUTION NO. 16-021

Resolution declaring Local State of Emergency in Amador County due to pervasive tree mortality.

Minutes: Review and possible approval of the February 9, 2016 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Morgan and unanimously carried to approve the February 9, 2016 Board of Supervisor Meeting Minutes with minor corrections.

Ayes: Supervisors Oneto, Morgan, Plasse and Boitano
Noes: None
Absent: Supervisor Forster

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 11:00 a.m., the Board convened into closed session.**

Conference with Real Property Negotiators: APN 044-010-116-000; (Terms & Conditions) Negotiating Parties: Mr. Jim Lewis, Airtronics Inc.; County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

ACTION: Direction given to staff.

Conference with County Counsel – One Case [Government Code 54956.9(d)(4)]

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: No update.

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: No update.

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

ACTION: Update given.

REGULAR SESSION: At 12:45 p.m., the Board reconvened into regular session. Chairman Plasse reported the above issues were reviewed in closed session.

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

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

February 23, 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** None

2. **TAX MATTERS** None

3. **RESOLUTIONS**

A. **Auditor:** Approval of a resolution to substitute officers authorized to direct transfer of tobacco settlement funds. (Resolution #16-017)

B. **Building Department:** Approval of a resolution authorizing recordation of an Agreement to Limit Uses of Agricultural Structure for Michael F. Bellamy and Margaret Bellamy Joint Living Trust for Building Permit AG01036 (APN 014-200-057-000). (Resolution #16-018)

C. **Building Department:** Approval of a resolution authorizing recordation of an Agreement to Limit Uses of Agricultural Structure for Keith D. Jarrett and Wendy L. Jarrett for Building Permit AG01035 (APN 040-030-099-000). (Resolution #16-019)

D. **Social Services:** Approval of a resolution authorizing Health and Human Services Director to execute the MOU between the California Department of Social Services and the County for access to The Work Number®. (Resolution #16-020)

4. **AGREEMENTS**

A. **Sheriff:** Approval of a Professional Services Agreement with Justice Benefits, Incorporated to review Amador County Jail procedures and statistics in an effort to increase revenues by enhancing claims for federal funding available for jails.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

A. **Fiddletown Cemetery Advisory Committee:** Approval of the following appointments to the subject Committee for a term of four years that will expire on February 23, 2020:

- Mitch Lubenko

- Melvin Bradley
- Lorna Cowan
- Keith Clark
- Linda Cooper

And approval of the following appointments to serve as Alternates:

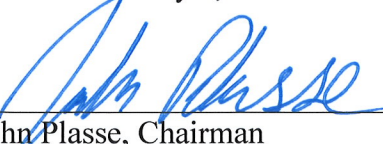
- Dick Smith
- Linda Smith

7. **MISCELLANEOUS**

- A. **General Services Administration:** Approval of the sale of one 2010 Ford Expedition deemed surplus to Amador Fire Protection District for \$5,500.00.
- B. **General Services Administration:** Approval to dispense with the formal bidding process and 1) Purchase Teleosoft Inc. software and the annual maintenance and support for the Sheriff's Office in an amount not to exceed \$66,830.00; and 2) Authorize the Sheriff, and/or his designee, to execute an agreement based upon the Sacramento County RFP and Teleosoft's proposal dated August 24, 2015 contingent upon County Counsel's approval.
- C. **Social Services:** Approval of a request to hire one Eligibility Worker I/II position due to employee resignation. This is a Merit Systems position and must be hired through the Merit Systems process.

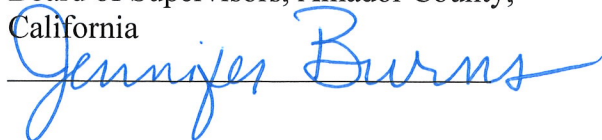
8. **GENERAL CORRESPONDENCE**

- A. A Proclamation from the Governor of California calling the Presidential Primary Election on Tuesday, June 7, 2016, per the requirement in Elections Code section 12000.
- B. Notification from the El Dorado National Forest Amador Ranger District that they propose to conduct a fuels reduction and forest health project on about 3,350 acres of National Forest System Lands.
- C. Commendation Letter from John Wabs to the Public Works Road Crew for a job well done in response to some patching and shoulder work needed at the intersection of Buena Vista Road and Jackson Valley Road.
- D. Auditor's check register dated February 1, 2016 totaling \$191,426.45.
- E. Auditor's check register dated February 8, 2016 totaling \$206,058.68.



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
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