

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, June 23, 2015
TIME: 8:00 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
Louis D. Boitano, Supervisor, District IV
Richard M. Forster, Supervisor, District II
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 8:30 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.**

Conference with County Counsel - Existing Litigation [Government Code 54956.9(d)(1)]: Ione Valley Land, Air and Water Defense Alliance, LLC v. County of Amador, Newman Mineral, LLC, et al Superior Court of the State of California for the County of Amador, Case No. 12CV8091

ACTION: **Update given.**

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 Oneto advised the following item will be added to the agenda as an Addendum for today's date as item #12b:

Rural County Representatives of California (RCRC): Discussion and possible action relative to an update by Chairman Oneto regarding a recent meeting of the RCRC Board of Directors.

Supervisor Plasse asked that item #7 be switched with item #12a due to the fact that he must leave the meeting early and he must recuse himself from item #7. This way he can be present for most of the meeting actions.

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

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

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.

Mr. Terry Duggan, Cabin owner South Silver Lake, would like to hear discussion regarding

curtailment of water in that area. Supervisor Plasse reported that this discussion of curtailment of water will be held in the near future with Amador Water Agency.

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

Supervisor Forster pointed out an error in the following item. The correct not to exceed amount should be \$450,000.00.

Item #4N: General Services Administration: Approval of a request to award and approve Contracts for *RFQ 15-05 to Mark Thomas & Company, Inc.* not to exceed \$400,000 for Engineering Services and *RFQ 15-06 to Bender Rosenthal, Inc.* not to exceed \$100,000 for Task 1 Right-of-Way Services.

Chairman Oneto noted a change to the following item. He stated the amount shown (\$858,000) is the total project amount. What should have been reflected in this particular item is \$59,820.74 (engineering and construction costs only).

Item #4M: Transportation and Public Works: Approval of a Contract for Construction Engineering Services with *Quincy Engineering* for Task Order 14-03E (construction staking, construction office activities, field construction, and contract claims services) for the Countywide Shoulder / Turnout Project in the amount of \$858,000.

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 Consent Agenda as amended, excluding item 4M.

Supervisor Forster recused himself at this time to avoid any potential conflict of interest issues as he has family employed by Quincy Engineering.

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

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to approve Consent Agenda Item 4M as outlined above.

Ayes: Supervisors Boitano, Plasse, Morgan and Oneto

Noes: None

Absent: Supervisor Forster

REGULAR AGENDA

2014-2015 Grand Jury Report: Presentation of the 2014-2015 Grand Jury Report by Arthur Weatherford, Grand Jury Foreman.

ACTION: **None. Presentation only.**

Camp Silverado Recreation Site Development Project: Discussion and possible action relative to the subject Project.

Discussion ensued with the following action being taken.

ACTION: **Direction given to staff to compile all comments produced in the packet today plus the question regarding exploring TOT to Amador County as well as request comment from CalFire and Amador Fire Protection District by June 27th.**

El Dorado County Treasurer-Tax Collector: Discussion and possible action relative to a request by C. L. Raffety, El Dorado County Treasurer-Tax Collector regarding conceptual support from the Amador County Board of Supervisors in pursuit of locating a University of California Davis satellite (or branch campus) in El Dorado County.

Discussion ensued with the following action being taken.

ACTION: **Concurrence of the Board to send letters individually relative to this matter if they choose.**

2015-2016 Recommended Budget: Discussion and possible action relative to adoption of the 2015-2016 Amador County Recommended Budget.

Mr. Chuck Iley, County Administrative Officer, summarized the proposed budget for the Board.

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

MOTION: **It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to adopt the 2015-2016 recommended budget as presented.**

Supervisor Plasse left the meeting at this time to testify at a Senate sub-committee hearing on Transportation at the State Capitol and was not present for the remainder of the meeting.

Rabb-Collins Estate Items: Discussion and possible action relative to disposition of the remaining Rabb-Collins Estate items by way of donation to the City of Sutter Creek for use in establishing the City's new museum.

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 Morgan**

and unanimously carried to donate all remaining estate items to the City of Sutter Creek within 90 days taking what they need and what they don't want, the County will sell.

Absent: Supervisor Plasse

General Services Administration: Discussion and possible action relative to approval of a new Animal Control Sign.

Ms. Susan Manning, Animal Shelter Promotion Committee, gave a description of the sign that will be placed on Hwy 49 at Airport Road out of CalTrans right of way directing travelers to the Animal Shelter. She emphasized that no County funds will be used to purchase and erect this sign.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Forster and unanimously carried to approve the signs with some changes as discussed.

Absent: Supervisor Plasse

Budget Trailer Bill 825: Discussion and possible action relative to approval of the Chairman's signature on a letter of opposition regarding Budget Trailer Bill 825 as it relates to mandatory water system consolidations.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to approve the Chairman's signature on a letter of opposition on regarding Budget Trailer Bill 825.

Absent: Supervisor Plasse

Community Development Agency-Waste Management: Discussion and possible action relative to consideration of recommendations from the Amador County Public Works Committee regarding R3 Consulting Group's detailed refuse rate review of ACES Waste Services utilizing the Board approved Rate Adjustment Methodology for Rate Year 8.

Mr. Jim McHargue, Director of Solid Waste, reviewed the recommendations outlined in the staff report as incorporated in full in the Board packet for today's date.

Lengthy 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 Morgan and unanimously carried to approve one rate adjustment across 3 franchise areas and one adjustment across 2 transfer stations for this rate year and all future years, approve the 2015 rate adjustments, and set the Proposition 218 hearing for August 25, 2015, and direct staff to mail notices to affected owner/customers.

Absent: Supervisor Plasse

Minutes: Review and approval of the June 9, 2015 Board of Supervisors Meeting Minutes.

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 minutes of June 9, 2015 with corrections.

Absent: Supervisor Plasse

Rural County Representatives of California (RCRC): Discussion and possible action relative to an update by Chairman Oneto regarding a recent meeting of the RCRC Board of Directors.

The meeting was held in Downieville, California, where a variety of issues were presented that affect our County including Senate Bill 16, increase gas taxes, use of vehicle license fees from 0/65 percent to 1% to backfill general fund dollars, increase vehicle registration fee, and AB266 medical marijuana legislation.

ACTION: None. Update only.

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 12:30 p.m., the Board convened into closed session.**

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: 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 – Anticipated Litigation {Government Code 54956.9(d)(2)}:
Buena Vista Rancheria

ACTION: Update only.

Confidential Minutes: Review and approval of the confidential minutes for June 9, 2014.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano , seconded by Supervisor Forster and unanimously carried to approve the confidential minutes of June 9, 2014

Absent: Supervisor Plasse

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

ADJOURNMENT: Until Tuesday, July 14, 2015, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**
CONSENT MINUTES

June 23, 2015

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. **Human Resources:** Approval of a request to increase expenditure lines to cover unanticipated deductible charges by using liability cash reserves 101262 for Risk Management.

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Building Department:** Approval of a resolution authorizing recordation of an Agreement to Limit Uses of Agricultural Structure Building Permit No. AG01029 for *Randall S. Mathis and Stacey E. Mathis* (APN 015-490-012-000). **(Resolution #15-050)**
- B. **Administrative Agency:** Approval of a resolution proclaiming September 2015 as *Childhood Cancer Awareness Month*. **(Resolution #15-051)**
- C. **General Services Administration:** Approval of two (2) Resolutions for a previously approved (5/12/15) Federal Aviation Administration Airport Improvement Program Grant Application for the upgrading of (1.) *Automated Weather Observation System* (AWOS III) and (2.) *Pavement Maintenance of Runway and Parallel/Connecting Taxiways* at Westover Field Amador County Airport.
(Resolutions #15-052 and #15-053)

4. **AGREEMENTS**

- A. **Probation Department:** Approval of Amendment I to Agreement for Services #781-S0711, between Amador County and the County of El Dorado to provide two (2) secured beds at the *El Dorado County Juvenile Hall* at a reduced rate of \$70.00 per day.
- B. **Probation Department:** Approval of Amendment I to Agreement for Services #601-S1211, between Amador County and the County of El Dorado to provide beds at the *El Dorado County Juvenile Hall* on a "space available" basis at a reduced rate of \$90.00 per day, per bed. Agreement #601-S1211 will provide bed space above the two reserved beds, if space is available, at the higher rate of \$90.00.
- C. **Health and Human Services:** Approval of Services Agreement with *Crisis Support Services of Alameda County* that will provide after hour and holiday Mental Health crisis

- telephone services to residents of Amador County.
- D. **Health and Human Services:** Approval of a Second Amendment to original Services Agreement dated 9/24/13 with *The Resource Connection of Amador and Calaveras Counties, Inc.* to administer community support for older adults who are parenting their grandchildren in Amador County.
 - E. **Health and Human Services:** Approval of a First Amendment to original Services Agreement dated 7/29/14, with *Davis Guest Home* to provide a residential care facility to our Amador County psychiatric adult clients.
 - F. **Health and Human Services:** Approval of a First Amendment to original Services Agreement dated 7/15/14 with *Nexus Youth and Family Services* to provide drug and alcohol prevention services to elementary, middle school and high school youth aimed at reducing the incidence of alcohol and drug use and abuse.
 - G. **Health and Human Services:** Approval of a Second Amendment to original Services Agreement dated 6/25/13 with Mental Health America of Northern California for a facility and services in the development, implementation and operation of the *Sierra Wind Wellness and Recovery Center*.
 - H. **Planning Department:** Approval of a Fifteenth Amendment to original Consulting Services Agreement dated 2/28/06, and *AECOM Technical Services, Inc.* for providing professional assistance in updating the County's General Plan and preparing related Environmental Impact Reports.
 - I. **Assessor's Office:** Approval of an Amendment to original Mineral Appraisal Agreement (8/27/13) with *Harold W. Bertholf, Inc.* to provide Mineral Appraisals for Leask Howard Assessment Appeals for Fiscal Year 2015/2016.
 - J. **Transportation and Public Works:** Approval of sample contract for ITB 15-01 and request to award Bid No. 15-01 to *GroundWorks Construction, Inc.* in the amount of \$331,669.00 for the County Wide Shoulder/Turnout Project at various locations along Shenandoah Road, Fiddletown Road, and Shakeridge Road.
 - K. **Transportation and Public Works:** Approval of a Consulting Services Agreement with *Geocon Consultants* to perform geotechnical services for the Shenandoah Road / Fiddletown Road Intersection Improvement Project Contract No. 14-03, Task Order 14-03F.
 - L. **Transportation and Public Works:** Approval of a First Amendment to Contract 14-03 with *Galvin Preservation Associates, Inc.* (GPA) Task Order 14-03A for the Natural Environmental Study (NES) for the Shenandoah Road / Fiddletown Road Intersection Improvement Project for an increase due to the potential habitat of federally listed species.
 - M. **Transportation and Public Works:** Approval of a Contract for Construction Engineering Services with *Quincy Engineering* for Task Order 14-03E (construction staking, construction office activities, field construction, and contract claims services) for the Countywide Shoulder / Turnout Project in the amount of ~~\$858,000~~ **59,820.74 (engineering and construction costs only)**.
 - N. **General Services Administration:** Approval of a request to award and approve Contracts for *RFQ 15-05 to Mark Thomas & Company, Inc.* not to exceed ~~\$400,000~~ **\$450,000.00** for Engineering Services and *RFQ 15-06 to Bender Rosenthal, Inc.* not to exceed \$100,000 for Task 1 Right-of-Way Services.
 - O. **General Services Administration:** Approval to award RFP No. 15-08 to Nexus Youth

- and Family Services for *Implementation of the Independent Living Program (ILP)*.
- P. **General Services Administration:** Approval to award RFP No. 15-07 to Nexus Youth and Family Services for *System Improvement Plan (SIP)* services for all three (3) components not to exceed \$83,000.00

5. **ORDINANCES**

- A. **Transportation and Public Works:** Approval of the adoption of a proposed Ordinance adding Chapter 7.23 to the Amador County Code establishing comprehensive regulations intended to prevent or reduce pollutants in storm water and non-storm water discharges into the County's storm drainage system, prohibits illicit discharges, provides for the establishment of best management practices, and establishes enforcement mechanisms and penalties for violations.

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Area 12 Agency on Aging:** Approval of the re-appointment of Ms. Thelma Clancy to the subject Council for a three year term, which will expire on June 22, 2018.
- B. **Jackson Valley Fire Protection District:** Approval of the appointment of Mr. Stephen Brown to the subject Board

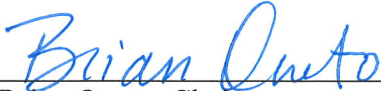
7. **MISCELLANEOUS**

- A. **Health and Human Services:** Approval of a request to hire one (1) position in Social Services to backfill one (1) *Eligibility Worker I/II* position due to employee resignation. This is a Merit Systems position and must be hired through the Merit Systems process.
- B. **Health and Human Services:** Approval of a request to hire one (1) position in Social Services to backfill one (1) *Eligibility Worker III* due to employee accepting another position within the Department. This is a Merit Systems position and must be hired through the Merit Systems process.
- C. **Health and Human Services:** Approval of a request to hire one (1) position in Social Services to backfill one (1) *Social Worker I/II* due to employee accepting another position within the department. This is a Merit Systems position and must be hired through the Merit Systems.
- D. **General Services Administration:** Approval of a request of conveying one (1) 2wd 1998 Ford Ranger truck to Amador Transit.

8. **GENERAL CORRESPONDENCE**

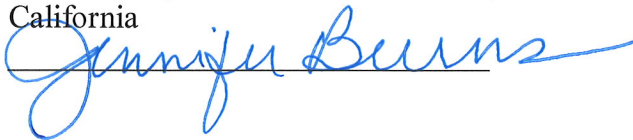
- A. Memorandum from the *Environmental Health Department* relative to the recap of activity during the month of May 2015 totaling \$7,915.54.

- B. Memorandum from the *Building Department* relative to the recap of activity during the month of May, 2015 totaling \$40,826.87.
- C. Auditor's check register dated June 17, 2015 totaling \$231,965.21.



Brian Oneto, Chairman
Board of Supervisors

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



Jennifer Burns

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