

# AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>04/25/2017</u>
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To: Board of Supervisors

Date: 04/19/2017

From: Kim Grady-Clerk/Recorder  
 (Department Head - please type)

Phone Ext. x470

Department Head Signature \_\_\_\_\_

Agenda Title: Clerk Recorder's Office

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)  
 Discussion and possible action relative to adoption and presentation of Resolutions No. 17-045 and 17-046 honoring and recognizing Ms. Elaine Lackey and Ms. Marlana "Tico" Arnese upon their retirement from the County of Amador.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes  No

Contract Attached:  Yes  No  N/A  
 Resolution Attached:  Yes  No  N/A  
 Ordinance Attached:  Yes  No  N/A

Committee Review? N/A

Name \_\_\_\_\_

Comments: \_\_\_\_\_

Committee Recommendation: \_\_\_\_\_

Request Reviewed by:

Chairman Jon Counsel GG  
 Auditor JOR GSA Director HP  
 CAO a Risk Management GM

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

### FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 5

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_  
 Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_  
 Noes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_  
 Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____  Completed by _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.  ATTEST: _____ Clerk or Deputy Board Clerk
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**BEFORE THE BOARD OF SUPERVISORS OF THE  
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION HONORING MARLANA “TICO”  
ARNESE FOR 42 YEARS OF SERVICE TO THE  
COUNTY OF AMADOR IN THE OFFICE OF THE  
CLERK/RECORDER

RESOLUTION NO. 17-045

WHEREAS, Marlana “Tico” Arnese was born March 15, 1955 in Jackson to Roy & Emily Oneto being the second of two girls, with an older sister named Cheryl. Her nickname was given by her Dad as he would say “tickle, tickle” to make her laugh as an infant, and this is how most everyone knows her; and

WHEREAS, Tico was raised on North Main Street, Jackson, in the house that her Maternal Grandparents bought in 1919, where she attended grammar school through high school, graduating in 1973 from Jackson High. During summer vacation she would work at the Jackson City Pool and became a certified Water Safety Instructor spending many years teaching lots and lots of kids how to swim; and

WHEREAS, while attending school, Tico met the love of her life, Joe Arnese, and the romance began. They dated for 9 years and married on February 23, 1980 in the St. Patrick’s Catholic Church; and

WHEREAS, Tico attended Heald Business College for 1 year and came back home to Amador County and began working for Interpace in Ione. Then, in December of 1975, Tico started working for the County Recorder’s Office as a CETA worker. She became a permanent employee on April 13, 1977, making about \$3 an hour and has spent her entire career in the Clerk/Recorder’s Office; and

WHEREAS, she has held many different titles and performed every duty within the various offices of the Elected Officials she worked for, including Recorder, Clerk of the Court, Jury Commissioner, County Clerk, Clerk of the Board of Supervisors, Registrar of Births and Deaths, Commissioner of Civil Marriages and Registrar of Voters. Tico became Chief Deputy Clerk/Recorder in 2013. She worked for three different Recorders - Anthony “Tony” Sutton from 1975 – 1978, Sheldon Johnson from 1979 – 2012, who was the first to hold the position of Clerk/Recorder, and Kim Grady from 2012 until the present; and

WHEREAS, as a loving wife and daughter Tico has cared for their home and their family ranch property. Tico helped her Dad with the family garden, and became the sole caregiver of both of her parents plus assisted in caring for her Aunt until their times on earth had ended; and

WHEREAS, during her 42 year career with the County of Amador, Tico served the public with her knowledge and kind, giving heart. Her unending patience and willingness to share her knowledge and experience has proven invaluable to her co-workers and the public. She has always been a true public servant and will be missed by all. Tico has enjoyed serving the citizens of Amador County and working in an office that became a second home with people who also became family. Tico now looks forward to spending her days with Joe in their garden, and out on the ranch, and doing some much deserved traveling. God bless you Tico.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Amador, State of California, does congratulate and thank Marlana “Tico” Arnese for 42 years of service to Amador County in the Clerk/Recorder’s Office.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a special meeting thereof, held on the 25<sup>th</sup> day of April 2017, by the following vote:

AYES: Richard M. Forster, Lynn A. Morgan, Patrick Crew, Frank U. Axe, Brian Oneto

NOES: None

ABSENT: None

Richard M. Forster, Chairman, Board of Supervisors

ATTEST:

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

\_\_\_\_\_  
Deputy

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

IN THE MATTER OF:

RESOLUTION HONORING ELAINE LACKEY  
FOR NEARLY 18 YEARS OF SERVICE TO  
THE COUNTY OF AMADOR IN THE OFFICE  
OF THE CLERK/RECORDER

RESOLUTION NO. 17-046

WHEREAS, Elaine was born April 17, 1950 in San Francisco to Jean & Vivian DeCeoursty. She is the middle child, with an older sister Vivian and younger brother David. They lived on Prentiss Street and Elaine graduated in 1968 from St. Paul's Parochial High School for Girls; and

WHEREAS, Elaine started working at California Savings & Loan part time and after graduation she became full time. It was there she met a co-worker, Wayne Lackey, they started dating and the adventure began. The two were married on May 25, 1974 at St. Paul's Church in San Francisco; and

WHEREAS, in 1975 Wayne and Elaine moved to Walnut Creek where she commuted to California Savings & Loan in San Francisco. While living in Walnut Creek they had their two sons, Erin in 1976 and Keith in 1980; and

WHEREAS, the Lackey family moved to Amador County in April of 1982, living on Fleehart Street in Amador City. Just about a year later, Elaine began working for First American Title Company in Jackson as a title officer and the Lackeys built their current home in KC Ranchettes. While at the title company, Elaine performed the duties of a title officer in Amador and Alpine Counties and was a foreclosure officer in the tri-County area of Amador, Alpine and Calaveras Counties; and

WHEREAS, on October 4, 1999 Elaine began working for the County Recorder's Office as a Fiscal & Technical Services Assistant II and has continued to work there under different titles until her retirement as a Senior Recorder Clerk;

WHEREAS, during her almost 18 year career with the County of Amador, Elaine has not only served the public, but has shared her many years of experience with title knowledge with her co-workers. She was often asked to "put on her title hat" when a difficult question arose. She has always been a dedicated and devoted working Mom and wife who truly enjoyed spending her days in an office that was like a second home with her work family. She was very happy to serve the citizens of Amador County in any way possible and will be missed by all. Elaine now looks forward to spending her days with Wayne, visiting their families, and doing some much deserved relaxing. God bless you Elaine.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Amador, State of California, does hereby congratulate and thank Elaine Lackey for her many years of service to Amador County in the Clerk/Recorder's Office.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a special meeting thereof, held on the 25<sup>th</sup> day of April 2017, by the following vote:

AYES: Richard M. Forster, Lynn A. Morgan, Patrick Crew, Frank U. Axe, Brian Oneto

NOES: None

ABSENT: None

Richard M. Forster, Chairman, Board of Supervisors

ATTEST:

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

\_\_\_\_\_  
Deputy

# AGENDA TRANSMITTAL FORM

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To: Board of Supervisors

Date: 04/19/2017

From: Richard M. Forster, Chairman  
 (Department Head - please type)

Phone Ext. 470

Department Head Signature \_\_\_\_\_

Agenda Title: UC Cooperative Extension Central Sierra

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

Presentation by Ms. Lynn Wunderlich, Farm Advisor, relative to the upcoming Foothill Grape Day Event and upcoming activities associated with the Cooperative Extension.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes  No

Contract Attached:  Yes  No  N/A  
 Resolution Attached:  Yes  No  N/A  
 Ordinance Attached:  Yes  No  N/A

Committee Review? Name \_\_\_\_\_ N/A

Committee Recommendation:

Comments: \_\_\_\_\_  
 \_\_\_\_\_

Request Reviewed by:

Chairman Jan Counsel G.G.  
 Auditor YOR GSA Director Hoe  
 CAO ae Risk Management mei

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

### FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 6

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____  Completed by _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.  ATTEST: _____ Clerk or Deputy Board Clerk
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# AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda
<input type="radio"/> Consent Agenda
<input type="radio"/> Blue Slip
<input type="radio"/> Closed Session
Meeting Date Requested: <u>04/25/2017</u>

To: Board of Supervisors

Date: 04/19/2017

From: Richard M. Forster, Chairman  
(Department Head - please type)

Phone Ext. x470

Department Head Signature \_\_\_\_\_

Agenda Title: United States Bicycle Route 50 (USBR50)

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

**Amador County Department of Transportation and Public Works received a request from the Adventure Cycling Association requesting a resolution of support to list several roads within Amador County on a cross country cycling route, USBR50. The Amador County maintained roads included on the route are Shake Ridge Road, Fiddletown Road, Shenandoah Road, Old Sacramento Road and Latrobe Road. The Public Works Committee on January 26, 2017, recommended objection to the route proposed by the Adventure Cycling Association. On February 23, 2017 the Public Works Committee was presented two options for USBR50 to pass through Amador County. The Committee preferred Route 2 which uses SR16 to Michigan Bar Road to SR104 to SR88. On March 14, 2017 this matter was before the Board and it was requested it be brought back when representatives from Adventure Cycling and Caltrans District 10 can be available for questions. Representatives from those entities will be available on April 25, 2017.**

Recommendation/Requested Action: \_\_\_\_\_

Fiscal Impacts (attach budget transfer form if appropriate) \_\_\_\_\_ Staffing Impacts \_\_\_\_\_

Is a 4/5ths vote required? Yes  No

Committee Review? N/A

Name Public Works Committee

Committee Recommendation:  
Bring to Board for discussion

Contract Attached:  Yes  No  N/A

Resolution Attached:  Yes  No  N/A

Ordinance Attached:  Yes  No  N/A

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman [Signature] Counsel [Signature]

Auditor [Signature] GSA Director [Signature]

CAO [Signature] Risk Management [Signature]

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

\_\_\_\_\_

### FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 7

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

Completed by \_\_\_\_\_

A new ATF is required from \_\_\_\_\_ Department For meeting of \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: \_\_\_\_\_  
Clerk or Deputy Board Clerk

**\*\*The above motion failed for lack of majority vote\*\***

**ACTION #2: The following motion resulted.**

**MOTION #2: It was moved by Supervisor Oneto, seconded by Supervisor Crew and carried to appoint Mr. John Plasse as the Public Member on the Amador County Transportation Commission for a four year term.**

**Ayes: Supervisor Crew, Oneto and Forster**

**Noes: Supervisors Morgan and Axe**

**Panther Fuels Reduction and Forest Health Project:** Discussion and possible action relative to approval of the Chairman's signature on a comment letter regarding the subject project and the Environmental Assessment prepared by the Amador District of the Eldorado National Forest.

**Supervisor Oneto advised he owns land near the subject project. Therefore, he recused himself to avoid any potential conflict of interest issues.**

Mr. John Heissenbuttel, CalAm Team, addressed the Board and stated Mr. Rick Hobson, USFS, addressed the Board on February 28, 2017 and provided a briefing relative to the Panther Project. Mr. Heissenbuttel pointed out to critical points to remember is that the purpose and need for this project is fire protection and forest health improvement which fits in exactly with the priorities of the High Country Community Wildfire Protection Plan that the Board adopted last September. Mr. Heissenbuttel stated he volunteered on behalf of the Cal Am team to draft a letter outlining the Boards comments and support of this project. The draft letter is 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 Morgan, seconded by Supervisor Crew and unanimously carried to approve the letter for the Chairman's signature as presented.**

**Ayes: Supervisors Morgan, Crew, Forster and Axe**

**Noes: None**

**Recused: Supervisor Oneto**

**Sustainable Groundwater Management Act JPA:** Discussion and possible action relative to appointment of a Regular and Alternate Member to the subject JPA.

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

**MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Oneto and unanimously carried to appoint Supervisor Richard Forster as the Regular Member to the JPA and Supervisor Frank Axe as the Alternate Member.**

**United States Bicycle Route 50 (USBR50):** Discussion and possible action relative to Board input and direction to staff regarding the proposed (USBR50) route or potential alternate routes with conditions.



Mr. Bill Tanner, ACTC Pedestrian and Bicycle Plan Member, addressed the Board and stated the original route was proposed by the Adventure Cycling association to come through Highway 88 to Fiddletown Road and then out of county. That route was unanimously rejected and the Pedestrian and Bicycle Committee ultimately met with the Public Works Committee and came up with a possible alternative route which is included in the Board packet for today's date.

Discussion ensued with the Board having some concern relative to how enforcement of the following conditions included in the draft letter to Mr. Tom Dumas, Caltrans District 10 will be carried out if the Board chooses to support this event:

1. We reserve the right to remove the route through Amador County if bicycle accidents along the route increase.
2. Adventure Cycling Association will coordinate the route with bicycle navigation applications so that the route is clear to bicycle riders that utilize GPS navigation.
3. Adventure Cycling Association will post and maintain directional signs, in coordination with Amador County Transportation and Public Works and Planning Departments, along the designated route to inform Bicycle riders of the direction changes in the route.

Lengthy discussion ensued with the following action being taken.

**ACTION:** Direction given to staff to request Mr. Tom Dumas, Caltrans District 10, (or a representative) as well as a representative from the Adventure Cycling Association to attend a future Board meeting to address the conditions outlined in the draft letter included in the Board packet for today's date, and request Public Works and Planning staff be available to discuss signage requirements at that meeting.

**Assembly Bill 975:** Discussion and possible action relative to the subject legislation as it relates to wild and scenic rivers.

Chairman Forster advised this Bill which was authored by Assembly Member Laura Friedman, District 43, and was referred to a standing Committee on Natural Resources on March 2, 2017 and will be heard in Committee on March 20, 2017. Chairman Forster stated he would like to have discussion today and determine if a letter should be drafted and concerns or support of specific portions of the Bill should be made known to the Natural Resources Committee. He also noted the Amador Water Agency has decided not to take a support or oppose position on the legislation, but to watch it as it moves forward.

Ms. Katherine Evatt, President, Foothill Conservancy, addressed the Board and summarized a memo relative to this matter which is hereby incorporated into these minutes as though set forth in full.

The following individuals wished to speak relative to this matter:

Ms. Fauna McNess  
Ms. Sherry Curtis  
Mr. Gary Reinoehl  
Mr. Mark Bennett




AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**TRANSPORTATION & PUBLIC WORKS**

PHONE: (209) 223-642  
FAX: (209) 223-639  
WEBSITE: [www.amadorgov.or](http://www.amadorgov.or)  
EMAIL: [PublicWorks@amadorgov.or](mailto:PublicWorks@amadorgov.or)

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

## MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Aaron Brusatori, PE   
**SUBJECT:** United States Bicycle Route 50  
**DATE:** February 23, 2017

### Summary

Amador County department of Transportation and Public Works received a request from the Adventure Cycling Association requesting a resolution of support to list several roads within Amador County on a cross country cycling route, USBR50. The Amador County maintained roads included on the route are Shake Ridge Road, Fiddletown Road, Shenandoah Road, Old Sacramento Road and Latrobe Road.

The Public Works Committee, on January 26, 2017 recommended objection to the route proposed by the Adventure Cycling Association.

At the February 14, 2017 Board meeting the members of the Amador County Bike and Pedestrian Plan Update Committee, requested delaying issuance of an objection letter so that alternate routes could be reviewed by the Public Works Committee.

On February 23, 2017 the Public Works Committee was presented two different options for USBR50 to pass through Amador County. The Public Works Committee preferred Route 2 which uses SR16 to Michigan Bar Road to SR104 to SR88.

The direction from the Public Works Committee was to bring the subject to the full Board for discussion, public comment, and direction.

### Analysis and Alternatives

Objection to the Adventure Cycling Association proposed route does not have any financial implications for Amador County.

### Attachments:

Draft letter  
USBR50 Route Option 2 Map

March 14, 2017

Tom Dumas  
Caltrans District 10  
Office of Metropolitan Planning  
1976 East Charter Way  
Stockton, CA 95205

RE: USBR50 Proposed Route

Dear Mr. Dumas,

**If objection is recommended by full Board:**

Amador County Board of Supervisors objects to including the Amador County maintained roadways proposed by the Adventure Cycling Association in USBR50. The proposed roads are narrow and were not designed for bicycle traffic.

**If support is recommended by full Board:**

Amador County would support the route identified as USBR50 Rout Option 2, as shown on the attached map, under the following conditions:

1. We reserve the right to remove the route through Amador County if bicycle accidents along the route increase.
2. Adventure Cycling Association will coordinate the route with bicycle navigation applications so that the route is clear to bicycle riders that utilize GPS navigation.
3. Adventure Cycling Association will post and maintain directional signs, in coordination with Amador County Transportation and Public Works and Planning Departments, along the designated route to inform Bicycle riders of the direction changes in the route.

Sincerely,

Richard Forster, Chairman  
Amador County Board of Supervisors

Attachments:  
USBR50 Route Option 2 Map

USBR50 Route Option 2

Map Settings

Add layer Share Preview

StateLine to Kirkwood

4087 Lake Tahoe Blvd, South

245b Carson Pass Hwy, Mark...

Kirkwood to Folsom via 88/106

245b Carson Pass Hwy, Mark...

Folsom Blvd, Folsom, CA 956...

Base map



# AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 04/19/2017

From: Richard M. Forster, Chairman  
(Department Head - please type)

Phone Ext. x470

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>04/25/2017</u>
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Department Head Signature \_\_\_\_\_

Agenda Title: Amador Fire Safe Council

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

**Discussion and possible action relative to a request by the Amador Fire Safe Council for a letter of support regarding a grant application they are submitting that will be used to achieve objectives identified in the Pioneer/Volcano, Greater Pine Grove, and Volcano Community Wildfire Protection Plan.**

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes  No

Contract Attached:  Yes  No  N/A  
 Resolution Attached:  Yes  No  N/A  
 Ordinance Attached:  Yes  No  N/A

Committee Review? Name \_\_\_\_\_ N/A

Committee Recommendation:

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman [Signature] Counsel \_\_\_\_\_

Auditor \_\_\_\_\_ GSA Director \_\_\_\_\_

CAO [Signature] Risk Management [Signature]

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

### FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 8

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_  
 Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_  
 Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_  
 Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____	A new ATF is required from _____ Department
Completed by _____	For meeting of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: \_\_\_\_\_  
Clerk or Deputy Board Clerk



**Amador Fire Safe Council**

POB 1055, Pine Grove, CA 95665

209-295-6200 [www.AmadorFireSafe.org](http://www.AmadorFireSafe.org)



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*"The Mission of the Amador County Fire Safe Council is to protect the people of Amador County and their property from the effects of catastrophic wildfire through education, cooperation, innovation and action."*

---

DATE: April 20, 2017  
TO: Amador Board of Supervisors  
FROM: Amador Fire Safe Council  
SUBJ: Request for Letter of Support

The Amador Fire Safe Council (AFSC) is writing to request a letter of support for a grant application the AFSC will be submitting to the California Fire Safe Council. The grant will be used to achieve objectives identified in the Pioneer/Volcano, Greater Pine Grove, and Volcano Community Wildfire Protection Plans (CWPPs). As you are aware, each of these plans have been developed in a collaborative effort between local, state and federal fire agencies; private and federal landowners; the AFSC; and the Amador Board of Supervisors (BOS). Each of the CWPPs included written public input, public hearings, and ultimately approval by the BOS.

We are requesting \$200 thousand. Specific projects identified in the grant request include road clearance (evacuation) projects in the Lake Tabeaud area; constructing a fuel break from Highway 88 north past the Pine Grove Camp, then generally west down Moonlight Ridge; and assorted road clearance projects in the Pioneer area.

Attached is a draft letter of support for you to consider. One or more representatives from the AFSC Board will attend your April 25 meeting to answer any questions.

We appreciate your consideration.



April 25, 2017

Amador Fire Safe Council  
Post Office Box 1055  
Pine Grove, CA 95665

RE: Letter of Support for 2017 SFA California FSC Grants Clearinghouse Program

Amador Fire Safe Council and California Fire Safe Council:

The Amador Board of Supervisors is pleased to provide this letter of support to the Amador Fire Safe Council (AFSC). The Board of Supervisors has worked closely with the AFSC to develop and implement Community Wildfire Protection Plans (CWPPs) throughout Amador County. Achieving the objectives contained in these plans improves the safety of both residents and firefighting personnel. The work identified in the 2017 SFS California FSC Grants Clearinghouse Program proposal will significantly advance hazardous fuel reduction and outreach and education objectives under the CWPPs.

The recent Butte fire has made all of us in Amador County keenly aware of the importance of working together to prevent similar catastrophic events in our communities. For this reason the Amador Board of Supervisors strongly supports the grant proposal.

Sincerely,

Richard Forster, Chair  
Amador Board of Supervisors

# AGENDA TRANSMITTAL FORM

To: Board of Supervisors  
Date: 04/19/2017  
From: Richard M. Forster, Chairman  
(Department Head - please type)

Phone Ext. 470

<input checked="" type="radio"/> Regular Agenda
<input type="radio"/> Consent Agenda
<input type="radio"/> Blue Slip
<input type="radio"/> Closed Session
Meeting Date Requested: <u>04/25/2017</u>

Department Head Signature \_\_\_\_\_

Agenda Title: Senate Bill 54

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

Discussion and possible action relative to the subject legislation as it relates to Sanctuary State jurisdiction and potential impacts related to local law enforcement.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes  No

Contract Attached:  Yes  No  N/A  
Resolution Attached:  Yes  No  N/A  
Ordinance Attached:  Yes  No  N/A

Committee Review? Name \_\_\_\_\_ N/A

Committee Recommendation:

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman Jan Counsel GG  
Auditor JOR GSA Director Hop  
CAO at Risk Management me

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

## FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 9

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

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Completed by \_\_\_\_\_  
of \_\_\_\_\_

A new ATF is required from \_\_\_\_\_  
Department \_\_\_\_\_  
For meeting \_\_\_\_\_

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ATTEST: \_\_\_\_\_  
Clerk or Deputy Board Clerk

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**SB-54 Law enforcement: sharing data.** (2017-2018)

SHARE THIS:



Date Published: 03/30/2017 04:00 AM

AMENDED IN SENATE MARCH 29, 2017

AMENDED IN SENATE MARCH 06, 2017

AMENDED IN SENATE MARCH 01, 2017

AMENDED IN SENATE JANUARY 24, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

**SENATE BILL**
**No. 54**

Introduced by Senator De León

(Principal coauthors: Senators Atkins, Beall, Pan, and Wiener)

 (Principal coauthors: Assembly Members Bonta, Chiu, Cooper, Gomez, Levine, ~~and Reyes~~  
Reyes, and Santiago)

December 05, 2016

An act to add Chapter 17.25 (commencing with Section 7284) to Division 7 of Title 1 of the Government Code, to repeal Section 11369 of the Health and Safety Code, and to add Sections 3058.10 and 3058.11 to the Penal Code, relating to law enforcement, and declaring the urgency thereof, to take effect immediately: *enforcement.*

## LEGISLATIVE COUNSEL'S DIGEST

SB 54, as amended, De León. Law enforcement: sharing data.

Existing law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters.

This bill would repeal those provisions.

Existing law provides that whenever an individual who is a victim of or witness to a hate crime, or who otherwise can give evidence in a hate crime investigation, is not charged with or convicted of committing any crime under state law, a peace officer may not detain the individual exclusively for any actual or suspected immigration violation or report or turn the individual over to federal immigration authorities.

This bill would, among other things, *things and subject to exceptions*, prohibit state and local law enforcement agencies, including school police and security departments, from using resources to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified. The bill would require,

within 3 months after the effective date of the bill, the Attorney General, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement to the fullest extent possible for use by those entities for those purposes. The bill would require all public schools, *public libraries*, health facilities operated by the state or a political subdivision of the state, and courthouses to implement the model policy, or an equivalent policy. The bill would state that all other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, are encouraged to adopt the model policy. The bill would require a law enforcement agency that chooses to participate in a joint law enforcement task force, as defined, to submit a report every 6 months to the Department of Justice, as specified. The bill would require the Attorney General, within 14 months after the effective date of the bill, and twice a year thereafter, to report on the types and frequency of joint law enforcement task forces, and other information, as specified, and to post those reports on the Attorney General's Internet Web site. The bill would require the Board of Parole Hearings or the Department of Corrections and Rehabilitation, as applicable, to notify ~~the Federal Bureau of Investigation~~ *United States Immigration and Customs Enforcement* of the scheduled release on parole or postrelease community supervision, or rerelease following a period of confinement pursuant to a parole revocation without a new commitment, of all persons confined to state prison serving a *current* term for the conviction of a violent felony, ~~and would authorize the sheriff to notify the Federal Bureau of Investigation of the scheduled release of a person confined to county jail for a misdemeanor offense who has a prior conviction for a violent felony, as specified.~~ *or serious felony, or who has a prior conviction for a violent or serious felony.*

This bill would state findings and declarations of the Legislature relating to these provisions.

By imposing additional duties on public schools, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: ~~two-thirds majority~~ Appropriation: no Fiscal Committee: yes Local Program: yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Chapter 17.25 (commencing with Section 7284) is added to Division 7 of Title 1 of the Government Code, to read:

### **CHAPTER 17.25. Cooperation with Federal Immigration Authorities**

**7284.** This chapter shall be known, and may be cited, as the California Values Act.

**7284.2.** The Legislature finds and declares the following:

- (a) Immigrants are valuable and essential members of the California community. Almost one in three Californians is foreign born and one in two children in California has at least one immigrant parent.
- (b) A relationship of trust between California's immigrant community and state and local agencies is central to the public safety of the people of California.
- (c) This trust is threatened when state and local agencies are entangled with federal immigration enforcement, with the result that immigrant community members fear approaching police when they are victims of, and witnesses to, crimes, seeking basic health services, or attending school, to the detriment of public safety and the well-being of all Californians.
- (d) Entangling state and local agencies with federal immigration enforcement programs diverts already limited resources and blurs the lines of accountability between local, state, and federal governments.
- (e) State and local participation in federal immigration enforcement programs also raises constitutional concerns, including the prospect that California residents could be detained in violation of the Fourth Amendment to the United States Constitution, targeted on the basis of race or ethnicity in violation of the Equal Protection Clause, or denied access to education based on immigration status.

(f) This act seeks to ensure effective policing, to protect the safety, well-being, and constitutional rights of the people of California, and to direct the state's limited resources to matters of greatest concern to state and local governments.

**7284.4.** For purposes of this chapter, the following terms have the following meanings:

(a) "California law enforcement agency" means a state or local law enforcement agency, including school police or security departments.

(b) "Civil immigration warrant" means any warrant for a violation of federal civil immigration law, and includes civil immigration warrants entered in the National Crime Information Center database.

(c) "Federal immigration authority" means any officer, employee, or person otherwise paid by or acting as an agent of United States Immigration and Customs Enforcement or United States Customs and Border Protection, or any division thereof, or any other officer, employee, or person otherwise paid by or acting as an agent of the United States Department of Homeland Security who is charged with immigration enforcement.

(d) "Health facility" includes health facilities as defined in Section 1250 of the Health and Safety Code, clinics as defined in Sections 1200 and 1200.1 of the Health and Safety Code, and substance abuse treatment facilities.

(e) "Hold request," "notification request," "transfer request," and "local law enforcement agency" have the same meaning as provided in Section 7283. Hold, notification, and transfer requests include requests issued by United States Immigration and Customs Enforcement or United States Customs and Border Protection as well as any other federal immigration authorities.

(f) "Immigration enforcement" includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in, the United States, ~~including, but not limited to, violations of Section 1253, 1324c, 1325, or 1326 of Title 8 of the United States Code.~~ *States. "Immigration enforcement" does not include either of the following:*

*(1) Efforts to investigate, enforce, or assist in the investigation or enforcement of a violation of Section 1326(a) of Title 8 of the United States Code that may be subject to the enhancement specified in Section 1326(b)(2) of Title 8 of the United States Code and that is detected during an unrelated law enforcement activity.*

*(2) Transferring an individual to federal immigration authorities for a violation of Section 1326(a) of Title 8 of the United States Code that is subject to the enhancement specified in Section 1326(b)(2) of that title if the individual has been previously convicted of a violent felony listed in subdivision (c) of Section 667.5 of the Penal Code.*

(g) "Joint law enforcement task force" means a California law enforcement agency collaborating, engaging, or partnering with a federal law enforcement agency in investigating, interrogating, detaining, detecting, or arresting persons for violations of federal or state crimes.

(h) "Judicial warrant" means a warrant based on probable cause and issued by a federal judge or a federal magistrate judge that authorizes federal immigration authorities to take into custody the person who is the subject of the warrant.

(i) "Public schools" means all public elementary and secondary schools under the jurisdiction of local governing boards or a charter school board, the California State University, and the California Community Colleges.

(j) "School police and security departments" includes police and security departments of the California State University, the California Community Colleges, charter schools, county offices of education, schools, and school districts.

**7284.6.** (a) California law enforcement agencies shall not do any of the following:

(1) Use agency or department moneys, facilities, property, equipment, or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including, but not limited to, any of the following:

~~(A) Inquiring into or collecting information about an individual's immigration status, except as required to comply with Section 922(d)(5) of Title 18 of the United States Code.~~ *status.*

(B) Detaining an individual on the basis of a hold request.

~~(C) Responding to requests for notification or transfer requests, by providing release dates or other information unless that information is available to the public.~~

~~(D) Providing information regarding a person's release date unless that information is available to the public.~~

~~(D)~~

~~(E) Providing or responding to requests for nonpublicly available personal information about an individual, including, but not limited to, information about the person's release date, home address, the individual's home address or work address for immigration enforcement purposes, unless that information is available to the public.~~

~~(E)~~

(F) Making arrests based on civil immigration warrants.

~~(F)~~

(G) Giving federal immigration authorities access to interview ~~individuals~~ *an individual* in agency or department custody ~~for immigration enforcement purposes.~~ *custody, except pursuant to a judicial warrant, and in accordance with Section 7283.1.*

~~(G)~~

(H) Assisting federal immigration authorities in the activities described in Section 1357(a)(3) of Title 8 of the United States Code.

~~(H)~~

(I) Performing the functions of an immigration officer, whether pursuant to Section 1357(g) of Title 8 of the United States Code or any other law, regulation, or policy, whether formal or informal.

(2) Make agency or department databases, including databases maintained for the agency or department by private vendors, or the information therein other than information regarding an individual's citizenship or immigration status, available to anyone or any entity for the purpose of immigration enforcement. Any agreements in existence on the date that this chapter becomes operative that conflict with the terms of this paragraph are terminated on that date. A person or entity provided access to agency or department databases shall certify in writing that the database will not be used for the purposes prohibited by this section.

(3) Place peace officers under the supervision of federal agencies or employ peace officers deputized as special federal officers or special federal deputies except to the extent those peace officers remain subject to California law governing conduct of peace officers and the policies of the employing agency.

(4) Use federal immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody.

*(5) Transfer an individual to federal immigration authorities unless authorized by a judicial warrant or for a violation of Section 1326(a) of Title 8 of the United States Code that is subject to the enhancement specified in Section 1326(b)(2) of Title 8 of the United States Code and the individual has been previously convicted of a violent felony listed in subdivision (c) of Section 667.5 of the Penal Code.*

~~(b) Nothing~~ *Notwithstanding the limitations in subdivision (a), nothing* in this section shall prevent any California law enforcement agency from doing any of the following:

(1) Responding to a request from federal immigration authorities for information about a specific person's criminal history, including previous criminal arrests, convictions, and similar criminal history information accessed through the California Law Enforcement Telecommunications System (CLETS), where otherwise permitted by state law.

(2) Participating in a joint law enforcement task force, so long as the *primary* purpose of the joint law enforcement task force is not immigration enforcement, as defined in subdivision (f) of Section ~~7284.4.~~ *7284.4, and participation in the task force by the California law enforcement does not violate any local law or policy of the jurisdiction in which the agency is operating.*

*(3) Making inquiries into information necessary to certify an individual who has been identified as a potential crime or trafficking victim for a T or U Visa pursuant to Section 1101(a)(15)(T) or 1101(a)(15)(U) of Title 8 of the United States Code or to comply with Section 922(d)(5) of Title 18 of the United States Code.*

*(4) Responding to a notification request from federal immigration authorities for a person who is serving a term for the conviction of a misdemeanor or felony offense and has a current or prior conviction for a violent felony*

*listed in subdivision (c) of Section 667.5 of the Penal Code or a serious felony listed in subdivision (c) of Section 1192.7 of the Penal Code, provided that response would not violate any local law or policy.*

(c) If a California law enforcement agency chooses to participate in a joint law enforcement task force, it shall submit a report every six months to the Department of Justice, as specified by the Attorney General. ~~The reporting agency or the Attorney General may determine a report, in whole or in part, is not a public record for purposes of the California Public Records Act pursuant to subdivision (f) of Section 6254 to prevent the disclosure of sensitive information, including, but not limited to, an ongoing operation or a confidential informant.~~ *The report shall detail for each task force operation, the purpose of the task force, the federal, state, and local law enforcement agencies involved, the number of California law enforcement agency personnel involved, a description of arrests made for any federal and state crimes, and a description of the number of people arrested for immigration enforcement purposes. The reporting agency or the Attorney General may determine a report, in whole or in part, shall not be subject to disclosure pursuant to subdivision (f) of Section 6254, the California Public Records Act, to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation.*

(d) The Attorney General, within 14 months after the effective date of the act that added this section, and twice a year thereafter, shall report on the types and frequency of joint law enforcement task forces. The report shall include, for the reporting period, assessments on compliance with paragraph (2) of subdivision (b), a list of all California law enforcement agencies that participate in joint law enforcement task forces, a list of joint law enforcement task forces operating in the state and their purposes, the number of arrests made associated with joint law enforcement task forces for the violation of federal or state crimes, and the number of arrests made associated with joint law enforcement task forces for the purpose of immigration enforcement by all task force participants, including federal law enforcement agencies. The Attorney General shall post the reports required by this subdivision on the Attorney General's Internet Web site.

(e) Notwithstanding any other law, in no event shall a California law enforcement agency transfer an individual to federal immigration authorities for purposes of immigration enforcement or detain an individual at the request of federal immigration authorities for purposes of immigration enforcement absent a ~~judicial-warrant.~~ *warrant, except as provided in paragraph (4) of subdivision (b).* This subdivision does not limit the scope of subdivision (a).

(f) This section does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

**7284.8.** The Attorney General, within three months after the effective date of the act that added this section, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law at public schools, *public libraries*, health facilities operated by the state or a political subdivision of the state, courthouses, Division of Labor Standards Enforcement facilities, and shelters, and ensuring that they remain safe and accessible to all California residents, regardless of immigration status. All public schools, health facilities operated by the state or a political subdivision of the state, and courthouses shall implement the model policy, or an equivalent policy. All other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, are encouraged to adopt the model policy.

**7284.10.** The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

**SEC. 2.** Section 11369 of the Health and Safety Code is repealed.

**SEC. 3.** Section 3058.10 is added to the Penal Code, to read:

**3058.10.** (a) The Board of Parole Hearings, with respect to inmates sentenced pursuant to subdivision (b) of Section 1168, or the Department of Corrections and Rehabilitation, with respect to inmates sentenced pursuant to Section 1170, shall notify ~~the Federal Bureau of Investigation~~ *United States Immigration and Customs Enforcement* of the scheduled release on parole or postrelease community supervision, or rerelease following a period of confinement pursuant to a parole revocation without a new commitment, of all persons confined to state prison serving a *current* term for the conviction ~~of~~ *of, or who have a prior conviction for,* a violent felony listed in subdivision (c) of Section ~~667.5.~~ *667.5 or a serious felony listed in subdivision (c) of Section 1192.7.*

(b) The notification shall be made at least 60 days prior to the scheduled release date or as soon as practicable if notification cannot be provided at least 60 days prior to release. The only nonpublicly available personal information that the notification may include is the name of the person who is scheduled to be released and the scheduled date of release.

~~SEC. 4. Section 3058.11 is added to the Penal Code, to read:~~

~~3058.11.(a) Whenever any person confined to county jail is serving a term for the conviction of a misdemeanor offense and has a prior conviction for a violent felony listed in subdivision (c) of Section 667.5 or has a prior felony conviction in another jurisdiction for an offense that has all the elements of a violent felony described in subdivision (c) of Section 667.5, the sheriff may notify the Federal Bureau of Investigation of the scheduled release of that person, provided that no local law or policy prohibits the sharing of that information with either the Federal Bureau of Investigation or federal immigration authorities.~~

~~(b) The notification may be made up to 60 days prior to the scheduled release date. The only nonpublicly available personal information that the notification may include is the name of the person who is scheduled to be released and the scheduled date of release.~~

~~SEC. 5. SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

~~SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:~~

~~Because changes in federal immigration enforcement policies require a statewide standard that clarifies the appropriate level of cooperation between federal immigration enforcement agents and state and local governments as soon as possible, it is necessary for this measure to take effect immediately.~~

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THIRD READING

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Bill No: SB 54  
Author: De León (D), et al.  
Amended: 3/29/17  
Vote: 21

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SENATE PUBLIC SAFETY COMMITTEE: 5-2, 1/31/17  
AYES: Skinner, Bradford, Jackson, Mitchell, Wiener  
NOES: Anderson, Stone

SENATE APPROPRIATIONS COMMITTEE: 5-2, 3/13/17  
AYES: Lara, Beall, Bradford, Hill, Wiener  
NOES: Bates, Nielsen

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**SUBJECT:** Law enforcement: sharing data

**SOURCE:** Author

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**DIGEST:** This bill limits state and local law enforcement agencies involvement in immigration enforcement and ensures that eligible individuals are able to seek services from and engage with state agencies without regard to their immigration status.

*Senate Floor Amendments of 3/29/17* make numerous changes to address issues raised by law enforcement, including 1) allowing local law enforcement to contact Immigration and Customs Enforcement (ICE) and transfer people of ICE, without a warrant, if the person was previously deported for a violent felony; 2) allowing response to notification request from ICE and releasing date information if that information is available to the public; 3) allowing ICE to interview people in custody or transfer to federal immigration authorities if there is a judicial warrant; 4) clarifying that local law enforcement can participate in a joint task force so long as immigration enforcements not the “primary” purpose; and 5) adding public libraries to the list of places that are safe zones.

**ANALYSIS:**

Existing federal law:

- 1) Provides that any authorized immigration officer may at any time issue Immigration Detainer-Notice of Action, to any other federal, state, or local law enforcement agency. A detainer serves to advise another law enforcement agency that the Department of Homeland Security (DHS) seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien. The detainer is a request that such agency advise the DHS, prior to release of the alien, in order for the DHS to arrange to assume custody, in situations when gaining immediate physical custody is either impracticable or impossible. (8 CFR Section 287.7(a).)
- 2) States that upon a determination by the DHS to issue a detainer for an alien not otherwise detained by a criminal justice agency, such agency shall maintain custody of the alien for a period not to exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit assumption of custody by the DHS. (8 CFR Section 287.7(d).)
- 3) Authorizes the Secretary of Homeland Security under the 287(g) program to enter into agreements that delegate immigration powers to local police. The negotiated agreements between ICE and the local police are documented in memorandum of agreements (MOAs). (8 U.S.C. Section 1357(g).)
- 4) States that notwithstanding any other provision of Federal, State or local law, a Federal, State or local government entity or official may not prohibit, or in any way restrict any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful of any individual. (8 US Code §1373(a))
- 5) States that notwithstanding any other provision of Federal, State or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States. (8US Code § 1644)
- 6) Provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor



deny to any person within its jurisdiction the equal protection of the laws.  
(U.S. Const. 14th Amend.)

Existing state law:

- 1) Defines "immigration hold" as "an immigration detainer issued by an authorized immigration officer, pursuant to specified regulations, that requests that the law enforcement official to maintain custody of the individual for a period not to exceed 48 hours, excluding Saturdays, Sundays, and holidays, and to advise the authorized immigration officer prior to the release of that individual." (Government Code, § 7282 (c).)
- 2) Provides that a law enforcement official have the discretion to cooperate with federal immigration officials by detaining an individual on the basis of an immigration hold after that individual becomes eligible for release from custody only in if the continued detention of the individual on the basis of the immigration hold would not violate any federal, state, or local law, or any local policy and only under specified circumstances. (Government Code § 7282.5)
- 3) Provides that before any interview between ICE and an individual in local law enforcement custody regarding civil violations law enforcement must provide the individual with specified information and requires specified notification to the individual if law enforcement intends to comply with an ICE hold or notify ICE that the individual is being released. (Government Code § 7283.1)
- 4) Provides that where there is reason to believe that a person arrested for specified controlled substance related offenses may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. (Health and Safety Code § 11369)

This bill:

- 1) Repeals Health and Safety Code § 11369.
- 2) Prohibits state and local law enforcement agencies and school police and security departments from using agency or department money, facility, property, equipment or personnel to investigate, interrogate, detain, detect or arrest persons for immigration enforcement purposes, including but not limited to any of the following:

- a) Inquiring into or collecting information about an individual's immigration status.
  - b) Detaining an individual on the basis of a hold request.
  - c) Responding to notification or transfer requests.
  - d) Providing, or responding to requests for, nonpublicly available personal information about an individual, including, but not limited to, information about the person's release date, home address, or work address for immigration enforcement purposes.
  - e) Making arrests based on civil immigration warrants.
  - f) Giving federal immigration authorities access to interview individuals in agency or department custody for immigration enforcement purposes.
  - g) Assisting federal immigration in conducting a search of a vehicle without a warrant.
  - h) Performing the functions of an immigration officer, whether formal or informal.
- 3) Allows local law enforcement to contact ICE and transfer people to ICE without a warrant if the person was previously deported for a violent felony.
  - 4) Prohibits any state local law enforcement agencies and school police and security departments from making agency or department databases, including databases maintained for the agency or department by private vendors, or the information therein other than information regarding an individual's citizenship or immigration status, available to anyone or any entity for the purpose of immigration enforcement. It further provides that any agreements in place on the effective date of this bill that are in conflict with the bill shall be terminated on the effective date of the bill. Any person or entity provided access to agency or department databases must certify in writing that the database will not be used for the prohibited purposes.
  - 5) Allows response notification requests from ICE if that information is public.
  - 6) Prohibits state and local law enforcement agencies and school police and security department from placing peace officers under the supervision of a federal agencies or employing peace officers deputized as special federal officers or special federal deputies except to the extent those peace officers remain subject to California law governing conduct of peace officers and the polices of the employing agency.
  - 7) Prohibits using federal immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody.

- 8) Provides that nothing in this section shall prevent any California law enforcement agency from doing any of the following:
  - a) Responding to a request from immigration authorities about a specific person's criminal history.
  - b) Participating in a joint law enforcement task force that is not primarily an immigration law enforcement.
- 9) Provides that if California law enforcement agency chooses to participate in a joint law enforcement task force, it shall submit a report every six months to the Department of Justice, as specified by the Attorney General. Sensitive information, as determined by the Attorney General, is not a public record for purposes of the California Public Records Act pursuant to subdivision (f) of Section 6254 of the Government Code.
- 10) Provides that the Attorney General, within 14 months after the effective date of the act that added this section, and twice a year thereafter, shall report on the types and frequency of joint law enforcement task forces. The report shall include, for the reporting period, assessments on compliance with paragraph (2) of subdivision (b), a list of all California law enforcement agencies that participate in joint law enforcement task forces, a list of joint law enforcement task forces operating in the state and their purposes, the number of arrests made associated with joint law enforcement task forces for the violation of federal or state crimes, and the number of arrests made associated with joint law enforcement task forces for the purpose of immigration enforcement by all task force participants, including federal law enforcement agencies. The Attorney General shall post the reports required by this subdivision on the Attorney General's Internet Web site.
- 11) Provides that notwithstanding any other law, in no event shall a California law enforcement agency transfer an individual to federal immigration authorities for the purposes of immigration enforcement or detain an individual at the request of federal immigration authorities for the purposes of immigration enforcement absent a judicial warrant.
- 12) Provides that this section does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

- 11) Provides the Attorney General, within three months after the effective date of the act that added this section, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law at public schools, health facilities operated by the state or a political subdivision of the state, courthouses, Division of Labor Standards Enforcement facilities, and shelters and ensuring that they remain safe and accessible to all California residents, regardless of immigration status. All public schools, health facilities operated by the state or a political subdivision of the state, and courthouses shall implement the model policy, or an equivalent policy. All other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, are encouraged to adopt the model policy.
- 12) Provides that the Board of Parole Hearings, with respect to inmates sentenced pursuant to subdivision (b) of Section 1168, or the Department of Corrections and Rehabilitation, with respect to inmates sentenced pursuant to Section 1170, shall notify ICE of the scheduled release on parole or postrelease community supervision, or rerelease following a period of confinement pursuant to a parole revocation without a new commitment, of all persons confined to state prison serving a term for the conviction of a violent felony or serious felony as defined in the penal code.
- 13) Provides that the notification by the Board of Parole Hearings shall be made at least 60 days prior to the scheduled release date or as soon as practicable if notification cannot be provided at least 60 days prior to release. The only nonpublicly available personal information that the notification may include is the name of the person who is scheduled to be released and the scheduled date of release.
- 15) Provides that the notification may be made up to 60 days prior to the scheduled release date. The only nonpublicly available personal information that the notification may include is the name of the person who is scheduled to be released and the scheduled date of release.
- 16) Makes Legislative findings and declarations.
- 17) Defines terms for the purpose of the Chapter created by this bill.
- 18) Provides that the Chapter it creates shall be known as the California Values Act.

## Comments

According to the author:

The purpose of this bill is to protect the safety and well-being of all Californians by ensuring that state and local resources are not used to fuel mass deportations, separate families, and ultimately hurt California's economy.

The President has stated publicly that he will order the increased deportation of a broad category of immigrants and that doing so will be a top priority. Any expansion of federal deportation efforts will have a significant effect on California's economy and society.

A relationship of trust between California's immigrant residents and our state and local agencies, including police, schools, and hospitals, is essential to carrying out basic state and local functions. That trust is threatened when state and local agencies are involved in immigration enforcement.

According to the President Obama's Taskforce on 21<sup>st</sup> Century Policing, "immigrants often fear approaching police officers when they are victims of and witnesses to crimes and when local police are entangled with federal immigration enforcement. At all levels of government, it is important that laws, policies, and practices not hinder the ability of local law enforcement to build the strong relationships necessary to public safety and community well-being. It is the view of this task force that whenever possible, state and local law enforcement should not be involved in immigration enforcement."<sup>1</sup> A study conducted by the University of Illinois similarly found that 44 percent of Latinos are less likely to contact police officers if they have been the victim of a crime because they fear that police officers will use this interaction as an opportunity to inquire about their immigration status or that of people they know.<sup>2</sup>

California is already familiar with the harmful effects of entangling local law enforcement agencies with immigration enforcement. Prior to its termination, the discredited "Secure Communities" program (S-Comm) operated in California as an indiscriminate mass

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<sup>1</sup> Final Report of the President's Taskforce on 21<sup>st</sup> Century Policing (May 2016).

<sup>2</sup> Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement, Nik Theodore, Dep't of Urban Planning and Policy, University of Illinois at Chicago (May 2013)

deportation program at great cost to California both financially and otherwise. According to a report prepared by Justice Strategies in 2012, when the Secure Communities program was still active, California taxpayers spent an estimated \$65 million annually to detain people for ICE.<sup>3</sup>

For that reason, it is necessary to evaluate the appropriate use of state and local resources for immigration enforcement purposes and recognize the devastating impact deportations have on a state with thousands of mixed status families, and a heavily immigrant workforce

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- One-time costs of \$2.7 million and ongoing costs of \$2.3 million per year for the Department of Justice to develop model compliance policies, provide training and outreach to law enforcement and other agencies, review information from local law enforcement agencies, and compile required reports (General Fund).
- Unknown costs to local law enforcement agencies to change their existing processes and procedures for interacting with federal immigration enforcement authorities and for reporting on their participation in law enforcement task forces (local funds).

In order to comply with the prohibitions on certain interactions with federal immigration authorities, local law enforcement agencies may incur costs to modify existing systems or processes. Because the bill does not mandate that those local law enforcement agencies provide new or expanded services, any such costs incurred by local governments are not likely to be interpreted as a reimbursable state mandate; therefore it is unlikely that the state would be responsible for reimbursing local law enforcement agencies for those costs.

Additionally, the bill requires a local law enforcement agency to report to the Department of Justice with specified information if the agency participates in a law enforcement task force. To the extent that local law enforcement agencies do participate in such task forces, they may incur costs to comply with the reporting requirements. However, because local law enforcement agencies have discretion as to whether they participate in such task forces, the costs of

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<sup>3</sup> See Judith Greene, "The Cost of Responding to Immigration Detainers in California," Justice Strategies Report, August 22, 2012.

reporting to the Department of Justice are not likely to be ruled a reimbursable mandate from the state.

- Unknown fiscal risk to the state, to the extent that the prohibitions in the bill interfere with existing contracts between local law enforcement agencies and federal immigration authorities (General Fund). See below for more detail.
- Unknown potential costs to state agencies, courts, and local agencies such as school districts and county health facilities to comply with model policies developed by the Attorney General governing assistance between those agencies and federal immigration authorities (General Fund and other funds). The bill requires the Attorney General to adopt model policies and requires certain entities – such as public schools, government health facilities, courts, and other entities – to comply with the model policy. Depending on the requirements of that model policy, there could be costs for those entities to comply with its requirements, such as information technology costs to ensure data systems meet requirements or staff training. The extent of those costs is unknown, but given the very large number of effected entities, those costs could be substantial. For local government entities, such as school districts and county health facilities, the state would likely be required to reimburse those mandated costs.
- Unknown potential loss of federal funding to the state and/or local law enforcement agencies, due to non-cooperation with federal immigration authorities by law enforcement agencies (Federal funds).

**SUPPORT:** (Verified 3/30/17)

Abriendo Puerta/Opening Doors  
AFSCME, AFL-CIO  
Alliance for Boys and Men of Color  
Alliance San Diego  
American Academy of Pediatrics, California  
American Civil Liberties Union  
Asian Americans Advancing Justice-California  
Asian American Criminal Trial Lawyers Association  
Asian Law Alliance  
ASPIRE  
Bill Wilson Center  
California Adolescent Health Collaborative  
California Association for Bilingual Education  
California Central Valley Journey for Justice

California College and University Police Chiefs Association  
California Faculty Association  
California Federation of Teachers (CFT), AFL-CIO  
California Health + Advocates  
California Immigrant Policy Center  
California Labor Federation  
California La Raza Lawyers Association  
California Partnership to End Domestic Violence  
Californians for Justice Education Fund  
Californians for Safety and Justice  
Californians Together Coalition  
Center for Gender and Refugee Studies  
Central American Resource Center-Los Angeles  
Centro Laboral de Graton  
Children's Defense Fund-CA  
Courage Campaign  
CREDO  
Drug Policy Alliance  
Equality California  
Eric Garcetti, Mayor of Los Angeles  
Esperanza Immigrant Rights Project of Catholic Charities of Los Angeles  
Evergreen Teachers Association  
Faith in the Valley  
Filipino Youth Coalition  
Friends Committee on Legislation of California  
Immigrant Legal Resource Center  
Inland Coalition for Immigrant Justice  
Inland Empire Immigrant Youth Coalition  
Jewish Public Affairs Committee of California  
Koreatown Immigrant Workers Alliance  
La Raza Roundtable de California  
Latino and Latina Roundtable  
Latino Coalition for a Healthy California  
Loyola Immigrant Justice Clinic  
Mexican American Legal Defense and Educational Fund  
Mi Familia Vota  
Mixteco/Indigena Community Organizing Project  
MomsRising  
Monument Impact  
Muslim Student Association West



National Association of Social Workers, California Chapter  
National Lawyers Guild, Los Angeles  
North County Immigration Task Force of San Diego  
National Council of Jewish Women California  
National Day Laborer Organizing Network  
National Immigration Law Center  
Nikkei for Civil Rights and Redress  
Nikkei Progressives  
Orange County Immigrant Youth United  
Our Family Coalition  
Pangea Legal Services  
Peace and Freedom Party of California  
PolicyLink  
RISE San Luis Obispo  
San Diego Dream Team  
San Diego Immigrant Rights Consortium  
San Diego La Raza Lawyers Association  
San Joaquin Immigrant Youth Collective  
Santa Cruz County Immigration Project  
Services, Immigrant Rights, and Education Network  
SEIU California  
SEIU Local 1021  
Somos Mayfair  
South Asian Network  
Students Matter  
Tongan American Youth Foundation  
The Children's Partnership  
The Utility Reform Network  
Training Occupational Development Educating Communities Legal Center  
UDW/AFSCME Local 3930  
UNITE HERE  
UPLIFT  
Village Connect, Inc.  
Voices for Progress Education Fund  
Warehouse Worker Resource Center  
Western Center on Law and Poverty  
YWCA Glendale  
A number of individuals

**OPPOSITION:** (Verified 3/30/17)

California Peace Officers' Association  
California State Sheriffs' Association  
San Bernardino County Sheriff  
A number of individuals

**ARGUMENTS IN SUPPORT:** Alliance for Boys and Men of Color supports this bill stating:

California is already familiar with the harmful effects of entangling local law enforcement agencies with immigration enforcement. Prior to its termination, the discredited "Secure Communities" program (S-Comm) operated in California as an indiscriminate mass deportation program at great cost to California both financially and otherwise. According to a report prepared by Justice Strategies in 2012, under S-Comm, California taxpayers spent an estimated \$65 million annually to detain people for ICE.<sup>1</sup> Continuing to tangle state and local public safety resources with the dirty business of deportations threatens the civil rights and safety of all who reside in California. Such actions foster racial profiling, police mistreatment, and wrongful arrests, which further undermine trust between local communities and law enforcement.

The American Academy of Pediatrics supports this bill stating:

It is our strongly held belief that all children should be afforded the right to attend school, visit a doctor's office, or approach a police officer for help without fearing for their safety. Parents should be able to attend school events and parent-teacher conferences, seek medical care, and request police assistance for themselves and their children without concern that their families will be torn apart as a result. Subjecting California families to programs and policies that threaten these central functions of parenting could pose innumerable, grave consequences to the social, psychological, and physical well-being of children.

SB 54 (De León) would dramatically advance the health of California children by assuring that no child or parent need fear detention, separation, or deportation as a result of seeking an education or medical care. It would help to reduce the toxic burden of fear that many children across our state live with every day, in a time when that fear has grown substantially more severe. And it would affirm our commitment to doing right by each and every child in our diverse

communities, no matter who they are or the circumstances that brought them here.

**ARGUMENTS IN OPPOSITION:** The California State Sheriffs' Association opposes stating:

Sheriffs do not wish to act as immigration police, nor are they, and we protect EVERYONE in our communities regardless of immigration status. That said, we need to continue to cooperate with our law enforcement partners to ensure that those who victimize our communities are not given unnecessary opportunities to do more harm.

While amendments attempt to clarify a local agency's ability to participate in a law enforcement task force with federal partners, the bill still lacks clarity as to lawful task force participation and it now imposes reporting requirements as to the nature of the law enforcement participation in a task force. And while the latest version of the bill attempts to allow some communication between local and federal authorities, SB 54 continues to preclude communication about potentially dangerous people. Specifically, the language only allows communication with the FBI (not ICE) in cases in which a person serving a term for a misdemeanor conviction, who also has a prior conviction for a violent felony, is about to be released. This language does not permit law enforcement to communicate about persons convicted of felonies and who are in jail custody or persons alleged to have committed a criminal offense. Precluding communication with ICE about, and prohibiting ICE access to, jail inmates of interest to ICE is likely to push ICE apprehension efforts out to communities, where collateral impacts on the family members of those wanted persons are likely.

SB 54 stands to further separate people from their families and their communities by precluding the detention of persons for immigration purposes as currently happens in some California counties pursuant to a federal contract. The bill may keep these persons from being held in California jails, but they will still be detained somewhere, and it is likely that their detention will take place much further from their communities, networks, and families, and possibly even out of state. In seeking to solve a perceived problem, SB 54 creates significant new family issues.

Prepared by: Mary Kennedy / PUB. S. /  
3/30/17 15:34:00

\*\*\*\* **END** \*\*\*\*

# AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: 04/25/2017
---

To: Board of Supervisors

Date: 04/19/2017

From: Aaron Brusatori, CDA Director  
 (Department Head - please type)

Phone Ext. x248

Department Head Signature \_\_\_\_\_

Agenda Title: Community Development Agency

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

**The Department of Transportation and Public Works has requested a loan from the General Fund in the amount of \$300,000.00 for costs associated with the January and February 2017 storms. The requested cost increases are potentially eligible for federal and state funding through the disaster declaration. 25% will be taken from contingencies, 75% from General Fund reserves. Amounts to be reimbursed to the General Fund upon department's reimbursement from federal/state sources.**

Recommendation/Requested Action: \_\_\_\_\_

Fiscal Impacts (attach budget transfer form if appropriate)	Staffing Impacts
Is a 4/5ths vote required? Yes <input type="radio"/> No <input type="radio"/>	Contract Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Resolution Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Ordinance Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Comments: _____
Committee Review? <input type="checkbox"/> N/A <input type="checkbox"/> Name: _____ Committee Recommendation: _____	

Request Reviewed by:

Chairman <u>[Signature]</u>	Counsel <u>GC</u>
Auditor <u>[Signature]</u>	GSA Director <u>[Signature]</u>
CAO <u>[Signature]</u>	Risk Management <u>[Signature]</u>

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

Public Works, Auditor, Budget Analyst

**FOR CLERK USE ONLY**

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 10

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____	A new ATF is required from _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	Department For meeting of _____	ATTEST: _____ Clerk or Deputy Board Clerk



# Community Development Agency

810 Court Street, Jackson CA 95642

Phone 209-223-6429

Fax: 209-223-6395

## MEMORANDUM

TO: Administrative Committee  
FROM: Aaron Brusatori, PE *AB*  
Director  
SUBJECT: TRANSPORTATION AND PUBLIC WORKS BUDGET INCREASE  
DATE: April 13, 2017

The department of transportation and public works has incurred increases in costs and is projecting further expenses through completion of FY 16/17 for which an increase in budget of \$300,000 is requested. The increase in costs are directly related to the storms of January and February.

In FY16/17 we have exceeded budget for overtime and professional services.

### **Overtime:**

FY15/16 included a budget of \$25,000 for overtime expenses. It is anticipated that we will utilize \$75,000 in Overtime expenses through the end of FY16/17.

Request \$50,000 budget adjustment for overtime costs.

### **Professional Services:**

FY16/17 included a Professional Services budget of \$43,750. It is anticipated that we will need an additional \$250,000 for both construction work and environmental and engineering consulting services.

In support of emergency response Amador County has contracted assistance from several local contractors to replace culverts, repair flood damaged roadways, and remove debris from roads including landslides and slope slips. Culverts have been replaced on Greilich Road, Buena Vista Road and are planned for Martin Lane. Removal of slide materials from Shake Ridge Road, Electra Road, Camanche Road, Buena Vista Road, and Camanche Parkway North. Assistance in repair to flood damaged roads has been performed on Upton Road and Amador Creek Road.

Request **\$100,000** budget adjustment for contractor services.

In response to the landslides at Shake Ridge Road and Pioneer Creek Road, Amador County will be required to prepare environmental documentation, plans, specifications and estimates and advertise bids for the reconstruction of those roads. Between now and July 1, 2017 environmental and engineering services will need to be performed. The estimated costs for environmental and engineering services for each project is \$75,000.

Request **\$150,000** budget adjustment for consultant services.

Total requested professional services budget increase **\$250,000**

The requested cost increases for **Overtime** and **Professional Services** are eligible for reimbursement reimbursed up to 75% by federal sources as a result of the storms of January and February 2017. The

requested budget adjustment, if made as a loan, could be repaid to the general fund from future federal reimbursement and or included as a budgeted item in the FY 17/18 budget.

It is requested that the Administrative Committee recommend to the full board an increase of \$300,000 to the budget (3000) for Transportation and Public Works, \$50,000 for line item50102 and \$250,000 for line item52300.

DATE: 04/25/2017

REQUESTED BY: Aaron Brusatori

DEPARTMENT: Community Development Director

APPROVED BY ADMINISTRATIVE OFFICER: \_\_\_\_\_ DATE: 4/17/2017

APPROVED BY ADMINISTRATIVE COMMITTEE: Administrative Committee Meeting DATE: 4/17/2017

APPROVED BY BOARD OF SUPERVISORS: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY AUDITOR/CONTROLLER: \_\_\_\_\_ DATE: \_\_\_\_\_

JOURNAL ENTRY NO. \_\_\_\_\_

BUDGET APPROPRIATIONS				REVENUE APPROPRIATIONS			
DEPARTMENT	ACCOUNT	INCREASE	DECREASE	FUND #	REVENUE #	INCREASE\$	DECREASE\$
3000	50102	\$50,000.00		3000	47940	\$300,000.00	
3000	52300	\$250,000.00					
7899	57500		\$75,000.00				
General Fund	Reserves		\$225,000.00				
1902	57021	\$300,000.00					

**REASON FOR THE REQUEST:**

The Department of Transportation & Public Works has requested a loan from the General Fund in the amount of \$300,000.00 for costs associated with the January and February 2017 storms. The requested cost increases are potentially eligible for federal and state funding through the disaster declaration. 25% will be taken from contingencies, 75% from General Fund reserves. Amounts to be reimbursed to the General Fund upon department's reimbursement from fed/state sources.

- PLEASE NOTE:**
- TRANSFERS BETWEEN OBJECTS - SALARIES & BENEFITS TO SERVICES & SUPPLIES BOARD OF SUPERVISORS APPROVAL
  - TRANSFER WITHIN OBJECTS - OFFICE EXPENSE TO TRAVEL - COUNTY ADMINISTRATOR APPROVAL
  - FIXED ASSETS - BOARD OF SUPERVISORS APPROVAL
  - TOTAL DOLLARS BUDGET INCREASE - BOARD OF SUPERVISORS APPROVAL



# AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: 04/19/2017

From: Jim McHargue, Waste Management  
(Department Head - please type)

Phone Ext. 546

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>04/25/2017</u>
--

Department Head Signature \_\_\_\_\_

Agenda Title: Waste Management

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

The Waste Management Department has requested a loan in the amount of \$123,765.00 for costs associated with the January and February 2017 storms. The requested cost increases are potentially eligible for federal and state funding through the disaster declaration. 25% will be taken from contingencies, 75% from General Fund reserves.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

See attached

Staffing Impacts

Is a 4/5ths vote required?

Yes  No

Contract Attached:  Yes  No  N/A  
 Resolution Attached:  Yes  No  N/A  
 Ordinance Attached:  Yes  No  N/A

Committee Review?

N/A

Name Administrative Committee

Committee Recommendation:

Approval

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman [Signature]

Counsel [Signature]

Auditor [Signature]

GSA Director [Signature]

CAO [Signature]

Risk Management [Signature]

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

Waste Management, Auditor, Budget Analyst

### FOR CLERK USE ONLY

Meeting Date 4-25-17 Time \_\_\_\_\_ Item # 11

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____	A new ATF is required from _____ Department _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	For meeting of _____	ATTEST: _____ Clerk or Deputy Board Clerk

Save

Print Form




AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**WASTE MANAGEMENT & RECYCLING**

PHONE: (209) 223-6429  
FAX: (209) 223-6395  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
EMAIL: [PublicWorks@amadorgov.org](mailto:PublicWorks@amadorgov.org)

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

## MEMORANDUM

**TO:** BOS Administrative Committee

**FROM:** Jim McHargue, APCO/Director of Solid Waste 

**DATE:** April 12, 2017

**SUBJECT:** Budget Transfer Due to Storm Impacts at the Buena Vista Landfill

The 2016-2017 winter season and associated storms have produced higher than normal rainfall totals which resulted in impacts to the closed Buena Vista Landfill.

The environmental compliance programs operated at the landfill include the 407' x 130' lined pond on the eastern edge of the landfill property. This 1.2-million-gallon pond holds water generated from within the waste management units which contacts waste and is commonly known as leachate. In addition, the pond contains water that is pumped from the near-surface ground water table as a compliance effort to maintain a physical separation barrier between the top ground water and the bottom of waste.

During normal or below average rainfall years the pond has sufficient capacity to accommodate the water which is then evaporated during the summer and fall seasons. However, due to the volumes of water pumped into the pond and direct precipitation into the pond this winter, the pond level rose to within a few inches of the state-mandated 24 inches of freeboard (freeboard is the distance from the top of water to the top of the pond).

On Monday, March 6, 2017, staff initiated emergency pumping and hauling for offsite disposal of the pond water to avoid a violation of the freeboard requirements. The pumping and hauling will continue as needed until the water pumped into the pond matches or falls below the evaporation rate that can be accomplished with the pond's evaporative spray system.

Additionally, excess water within the waste management units (landfill cells) has resulted in the development of side slope seeps where leachate drains down the surface of the landfill. Staff has installed a temporary seep capture structure, however permanent repairs will need to be made when conditions improve and the weather clears.

Staff hopes to complete emergency pumping and hauling by the end of April. The attached sheet summarizes the expenses incurred and projected costs through the end of April. Staff will pursue reimbursement from state and federal funds for the disaster declaration as a result of January and February storms.

### RECOMMENDATION:

Staff is requesting the BOS Administrative Committee recommend a budget transfer of \$125,000.00 from general fund contingencies to the waste management department.

**Landfill Emergency Conditions Expense Log**

Estimated

Date	CLS Lab \$1,926.48	BC Lab (Seep Sample)	CLS Lab (BOD, TSS, TKN)	Rain for Rent Tank (Ground Water)	Campbell Construction (Road Work)	Campbell Construction (Tank Work)	Campbell Construction (Seep Repair)	Ramos Environmental (Hauling)	ACES Waste Services (Hauling)	Sacramento Regional Sanitation (Permit Fee)	Sacramento Regional Sanitation (Disposal cost)	Jim's Time	Misc. Parts, Supplies	DAILY TOTAL:
2/17														\$1,926.48
2/20														\$0.00
2/21														\$0.00
2/22														\$0.00
2/23														\$0.00
2/24			\$67.62											\$67.62
2/27														\$0.00
2/28		\$720.00								\$500.00				\$720.00
3/1			\$78.40											\$78.40
3/2					\$602.50									\$0.00
3/3														\$0.00
3/7														\$0.00
3/8														\$0.00
3/9														\$0.00
3/10														\$0.00
3/13									\$1,425.00					\$1,425.00
3/14						\$1,009.00			\$4,275.00					\$1,500.00
3/15									\$2,850.00					\$1,500.00
3/16									\$1,900.00					\$1,500.00
3/17									\$1,425.00					\$1,500.00
3/20			\$150.00						\$1,425.00					\$1,500.00
3/21									\$475.00					\$0.00
3/22									\$1,900.00					\$2,102.50
3/23									\$1,900.00					\$1,500.00
3/24									\$1,900.00					\$1,500.00
3/27									\$1,900.00					\$1,500.00
3/28									\$1,900.00					\$1,500.00
3/29									\$1,900.00					\$1,500.00
3/30									\$1,900.00					\$1,500.00
3/31									\$1,900.00					\$1,500.00
4/3									\$950.00					\$2,950.00
4/4									\$1,425.00					\$2,925.00
4/5									\$475.00					\$1,975.00
4/6									\$475.00					\$2,475.00
4/7									\$600.00					\$2,600.00
4/10									\$600.00					\$2,600.00
4/11									\$600.00					\$2,600.00
4/12									\$600.00					\$2,600.00
4/13									\$600.00					\$2,600.00
4/14									\$600.00					\$2,600.00
4/17									\$600.00					\$2,600.00
4/18									\$600.00					\$2,600.00
4/19									\$600.00					\$2,600.00
4/20									\$600.00					\$2,600.00
4/21									\$600.00					\$2,600.00
4/24									\$600.00					\$2,600.00
4/25									\$600.00					\$2,600.00
4/26									\$600.00					\$2,600.00
4/27									\$600.00					\$2,600.00
4/28									\$600.00					\$2,600.00
TOTAL:	\$1,926.48	\$720.00	\$296.02	\$1,680.60	\$602.50	\$1,009.00	\$4,000.00	\$70,900.00	\$95,950.00	\$500.00	\$5,000.00	\$0.00	\$0.00	\$123,765.20

DATE: 04/25/2017

REQUESTED BY:

Jim McHargue

DEPARTMENT: Waste Management

APPROVED BY ADMINISTRATIVE OFFICER: \_\_\_\_\_ DATE: 4/17/2017

APPROVED BY ADMINISTRATIVE COMMITTEE: Administrative Committee Meeting DATE: 4/17/2017

APPROVED BY BOARD OF SUPERVISORS: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY AUDITOR/CONTROLLER: \_\_\_\_\_ DATE: \_\_\_\_\_

JOURNAL ENTRY NO. \_\_\_\_\_

BUDGET APPROPRIATIONS				REVENUE APPROPRIATIONS			
DEPARTMENT	ACCOUNT	INCREASE	DECREASE	FUND #	REVENUE #	INCREASE\$	DECREASE\$
4400	52300	\$123,765.00					
7899	57500		\$30,941.00				
General Fund	Reserves		\$92,824.00				

**REASON FOR THE REQUEST:**

The Waste Management Department has requested a loan in the amount of \$123,765.00 for costs associated with the January and February 2017 storms. The requested cost increases are potentially eligible for federal and state funding through the disaster declaration. 25% will be taken from contingencies, 75% from General Fund reserves.

**PLEASE NOTE:** TRANSFERS BETWEEN OBJECTS - SALARIES & BENEFITS TO SERVICES & SUPPLIES  
BOARD OF SUPERVISORS APPROVAL  
TRANSFER WITHIN OBJECTS - OFFICE EXPENSE TO TRAVEL - COUNTY ADMINISTRATOR APPROVAL  
FIXED ASSETS - BOARD OF SUPERVISORS APPROVAL  
TOTAL DOLLARS BUDGET INCREASE - BOARD OF SUPERVISORS APPROVAL

# AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 04/19/2017

From: Richard M. Forster, Chairman  
(Department Head - please type)

Phone Ext. 470

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>04/25/2017</u>
--

Department Head Signature \_\_\_\_\_

Agenda Title: Assembly Bill 975

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

Discussion and possible action relative to the subject legislation as it relates to wild and scenic rivers.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes

No

Contract Attached:

Yes

No

N/A

Resolution Attached:

Yes

No

N/A

Ordinance Attached

Yes

No

N/A

Comments:

Committee Review?

N/A

Name \_\_\_\_\_

Committee Recommendation:

Request Reviewed by:

Chairman \_\_\_\_\_

Counsel \_\_\_\_\_

Auditor JOR

GSA Director Hop

CAO ae

Risk Management [Signature]

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

### FOR CLERK USE ONLY

Meeting Date 4-25-17

Time \_\_\_\_\_

Item # 12

Board Action: Approved Yes \_\_\_ No \_\_\_

Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Other: \_\_\_\_\_

Noes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_

Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

A new ATF is required from \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by \_\_\_\_\_

Department  
For meeting  
of \_\_\_\_\_

ATTEST: \_\_\_\_\_

Clerk or Deputy Board Clerk

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SHARE THIS:



Date Published: 03/23/2017 09:00 PM

AMENDED IN ASSEMBLY MARCH 23, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

**ASSEMBLY BILL****No. 975****Introduced by Assembly Member Friedman  
(Coauthor: Senator Allen)****February 16, 2017**

An act to amend Sections 5093.50 and 5093.52 of the Public Resources Code, relating to wild and scenic rivers.

## LEGISLATIVE COUNSEL'S DIGEST

AB 975, as amended, Friedman. Natural resources: wild and scenic rivers.

Existing law establishes that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state.

This bill would revise that policy to specify that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, ecological, hydrological, botanical, or other *similar* values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state, and would revise the definition of "immediate environments," and define the term "extraordinary value" for purposes of that policy.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 5093.50 of the Public Resources Code is amended to read:

**5093.50.** It is the policy of the State of California that certain rivers that possess extraordinary scenic, recreational, fishery, wildlife, historical, cultural, geological, ecological, hydrological, botanical, or other *similar* values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. The Legislature declares that such use of these rivers is the highest and most beneficial use and is a reasonable and beneficial use of water within the meaning of Section 2 of Article X of the California

Constitution. It is the purpose of this chapter to create a California Wild and Scenic Rivers System to be administered in accordance with the provisions of this chapter.

**SEC. 2.** Section 5093.52 of the Public Resources Code is amended to read:

**5093.52.** As used in this chapter, the following terms have the following meaning:

- (a) "Secretary" means the Secretary of the Natural Resources Agency.
- (b) "Resources Agency" means the Natural Resources Agency and any constituent units of the Natural Resources Agency that the secretary determines to be necessary to accomplish the purposes of this chapter.
- (c) "River" means the water, bed, and shoreline of rivers, streams, channels, lakes, bays, estuaries, marshes, wetlands, and lagoons, up to the first line of permanently established riparian vegetation.
- (d) "Free-flowing" means existing or flowing without artificial impoundment, diversion, or other modification of the river. The presence of low dams, diversion works, and other minor structures does not automatically bar a river's inclusion within the system. However, this subdivision does not authorize or encourage future construction of those structures on any component of the system.
- (e) "System" means the California Wild and Scenic Rivers System.
- (f) "Land use regulation" means the regulation by any state or local governmental entity, agency, or official of any activities that take place other than directly on the waters of the segments of the rivers designated in Section 5093.54.
- (g) "Director" means the Director of Fish and Wildlife.
- (h) "Immediate environments" means the corridor of land within one-quarter mile of the segments of the rivers designated in Section 5093.54.
- (i) "Special treatment areas" means, for purposes of this chapter, those areas defined as special treatment areas in Section 895.1 of Title 14 of the California Code of Regulations, as in effect on January 1, 2004, as that definition applies to wild and scenic river segments designated from time to time in Section 5093.54, and also includes areas within 200 feet of the watercourse transition line of a state-designated recreational river segment designated in Section 5093.54 that may be at risk during timber operations.
- (j) "Board" means the State Board of Forestry and Fire Protection.
- (k) "Extraordinary value" means a natural, cultural, or similar value that is outstanding or remarkable in a local, regional, or statewide context.

ASSEMBLY THIRD READING  
 AB 975 (Friedman)  
 As Amended March 23, 2017  
 Majority vote

Committee	Votes	Ayes	Noes
Natural Resources	7-3	Cristina Garcia, Chau, Eggman, Limón, McCarty, Muratsuchi, Mark Stone	Acosta, Travis Allen, Flora
Appropriations	11-5	Gonzalez Fletcher, Bloom, Bocanegra, Bonta, Calderon, Chau, Eggman, Friedman, Eduardo Garcia, Muratsuchi, Reyes	Bigelow, Brough, Fong, Gallagher, Obernolte

**SUMMARY:** Adds "historical, cultural, geological, ecological, hydrological (i.e., unique source, direction, or quantity of water flows), botanical or other similar values" to the values that certain rivers possess and the state should preserve. Expands the area protected in the Wild and Scenic Rivers System (System) from immediately adjacent to the river segment to within a quarter mile of the river.

**EXISTING LAW,** pursuant to the California Wild and Scenic Rivers Act (Act):

- 1) Declares that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values be preserved in their "free-flowing" state, together with their immediate environments, for the benefit and enjoyment of the people of the state. Declares that such use of these rivers is the highest and most beneficial use and is a reasonable and beneficial use of water.
- 2) Defines "free-flowing" as existing or flowing without artificial impoundment, diversion, or other modification of the river. (The presence of low dams, diversion works, and other minor structures does not automatically bar a river's inclusion within the System.)
- 3) Requires that those rivers or segments of rivers included in the System be classified as one of the following:
  - a) Wild rivers, which are those rivers or segments of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted;
  - b) Scenic rivers, which are those rivers or segments of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped but accessible in places by roads; or
  - c) Recreational rivers, which are those rivers or segments of rivers that are readily accessible by road or railroad, may have some development along their shorelines, and may have undergone some impoundment or diversion in the past.
- 4) Designates several California rivers and segments thereof as components of the System.



- 5) Requires the Natural Resources Agency (NRA) to be responsible for coordinating the activities of state agencies whose activities affect the rivers in the System with those of other state, local, and federal agencies with jurisdiction over matters that may affect the rivers.

**FISCAL EFFECT:** According to the Assembly Appropriations Committee, no additional state costs.

**COMMENTS:**

- 1) **The Act.** The Act was passed in 1972 to preserve designated rivers possessing extraordinary scenic, recreation, fishery, or wildlife values. With its initial passage, the System protected segments of the Smith River and tributaries, Klamath River and tributaries, Scott River, Salmon River, Trinity River, Eel River, Van Duzen River, and American River. The System was subsequently expanded by the Legislature to include the East Carson and West Walker Rivers in 1989, the South Yuba River in 1999, the Albion River and Gualala Rivers in 2003, and Cache Creek in 2005. In addition, segments of the McCloud River, Deer Creek, and Mill Creek were protected under the Act in 1989 and 1995 respectively, although these segments were not formally designated as components of the System.

The Act defines "free-flowing" as "existing or flowing without artificial impoundment, diversion, or other modification of the river." The existence of minor structures, or even major dams located upstream or downstream of a specific segment, does not preclude a river from designation. Several rivers, such as the Klamath, Trinity, Eel, and Lower American, are included in the System despite substantial flow modifications by existing upstream dams and impoundments.

No dam, reservoir, diversion, or other water impoundment facility may be constructed on any river segment included in the System. However, there are exemptions, which include temporary flood storage facilities on the Eel River and temporary recreational impoundments on river segments with a history of such impoundments. NRA cannot authorize these temporary recreational impoundments without first making a number of findings.

- 2) **Consistency with the Federal Act.** The Act was patterned after the 1968 National Wild and Scenic Rivers Act (Federal Act). The state and federal Acts share similar criteria and definitions in regard to the purpose of protecting rivers, the identification of free flowing rivers and extraordinary or outstanding values suitable for protection, establishing a study process to include rivers in the system, as well as an identical classification system. The state Act differs from the Federal Act in that it does not recognize as many river values. The additional values in the Federal Act include historical, cultural, geologic, and "other similar" values. Federal agencies have interpreted "similar" values to include ecological, botanical, and hydrological. When NRA studied the East Carson and West Walker Rivers they found them to have extraordinary hydrological values. However, that value is not in the Act. This bill adds the additional values considered by Federal agencies.

The Federal Act also creates protections within a quarter mile of a river in the system. The state Act defines immediate environments to be immediately adjacent to the river, and defines river to include up to the first line of permanently established riparian vegetation. This bill would align the state Act with the Federal Act by defining immediate environments to include within quarter mile of segments of the river. This change would have the effect of



Our Klamath Basin Water Crisis  
Upholding rural Americans' rights to grow food,  
own property, and caretake our wildlife and natural resources.

**California Farm Bureau Federation Friday Legislative Review**

3/24/17

March 17, 2017 With the bill introduction deadline in the rear lights, we now move on to committee hearings, amendments and changes before the legislature leaves for Spring Break on April 6th.

Commodities: AB 1126 (Committee on Agriculture) would allow the continued use of carbon monoxide to control burrowing rodent pests. In 2011, Farm Bureau sponsored legislation to legalize the use of carbon monoxide for rodent control. However, that bill included a sunset that eliminated the use as of January 1, 2018. AB 1126 will extend the allowance indefinitely. The bill was placed on the Assembly Agriculture Committee's consent calendar this week, where it passed 10-0. Farm Bureau is the sponsor of AB 1126 that now goes to the Assembly Floor.

AB 822 (Anna Caballero, D-Salinas) would require state agencies and institutions to purchase California grown agricultural products so long as the price is no more than five percent higher than products from outside the state. School districts and state universities would be required to purchase California grown products so long as they didn't cost any more than outside products with no percent threshold requirement. California farmers have significantly higher costs of production due to California's stringent regulations and our state should support our farmers and farm employees by purchasing products from farmers meeting those high regulatory standards. The Assembly Accountability and Administrative Review Committee approved it 7-0. Farm Bureau is the sponsor of AB 822 that now goes to the Assembly Agriculture Committee.

**Education:**

SB 769 (Jerry Hill, D-San Mateo) would expand and modify the existing SB 850 (Block, 2014) Community College Baccalaureate Degree pilot program. The bill increases the number of programs from 15 to 30 to give the LAO a larger sample size for the 2022 study; removes the pilot program sunset of 2023; removes the "one program per district" limitation and instead of preventing a community college from offering a baccalaureate program already at a UC or CSU, the bill allows it if the community college is at least 100 miles away from a UC/CSU. Farm Bureau believes that every effort should be made on behalf of the students who would go on to receive their Baccalaureate Degree to have the option of completing it at their local community college. We support extending the program indefinitely and expanding it to 30 programs, as it benefits students who live in rural California and are unable for various reasons to go to a state university, either due to the distance, cost, or responsibilities of farming and ranching life. The Baccalaureate Degree pilot program can make the "higher education goal" a reality for those who would not have had the option otherwise. SB 769 will be heard in the Senate Education Committee April 5. Farm Bureau supports.  
Energy:

SB 370 (Robert M. Hertzberg, D-Van Nuys) would clarify the standard of review for energy efficiency improvements for agricultural equipment and industrial facilities, providing certainty about measurement of the performance of the improvements that have been made. Current evaluation processes are ambiguous about how the measurement is conducted and creates a risk of after the fact re-calculation of utility incentives for improvements made by agricultural electric and natural gas customers. SB 370 will be heard in the Senate Energy, Utilities & Communications Committee on April 4. Farm Bureau supports.

Water: AB 975 (Laura Friedman, D-Glendale) would expand the extraordinary values for 1,362 miles of rivers designated as wild and scenic under the California Wild and Scenic Rivers Act, as well as expand current protections to include the river and adjacent lands within one-quarter mile on each side of the river. The Assembly Natural Resources Committee approved it down party lines, 7-3. Farm Bureau opposes. SB 252 (Bill Dodd, D-Napa) would require new water well permit applicants in critically over drafted groundwater basins to provide information about their application to their neighbors. It would require cities and counties overlying critically over drafted basins to publicly notice new well permit applications. SB 252 will be heard in the Senate Natural Resources and Water Committee next week. Farm Bureau and other agricultural organizations oppose the measure as written.

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# AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 04/19/2017

From: Jennifer Burns, Clerk of the Board  
(Department Head - please type)

Phone Ext. 470

<input checked="" type="radio"/> Regular Agenda
<input type="radio"/> Consent Agenda
<input type="radio"/> Blue Slip
<input type="radio"/> Closed Session
Meeting Date Requested: <u>04/25/2017</u>

Department Head Signature \_\_\_\_\_

Agenda Title: Minutes

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

Review and possible approval of the April 11, 2017 Board of Supervisors Meeting Minutes.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes

No

Contract Attached:

Yes

No

N/A

Resolution Attached:

Yes

No

N/A

Ordinance Attached

Yes

No

N/A

Committee Review?

N/A

Name \_\_\_\_\_

Committee Recommendation: \_\_\_\_\_

Comments: \_\_\_\_\_

Request Reviewed by:

Chairman \_\_\_\_\_

Counsel \_\_\_\_\_

Auditor \_\_\_\_\_

GSA Director \_\_\_\_\_

CAO \_\_\_\_\_

Risk Management \_\_\_\_\_

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

## FOR CLERK USE ONLY

Meeting Date 4-25-17

Time \_\_\_\_\_

Item # 13

Board Action: Approved Yes \_\_\_ No \_\_\_

Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Other: \_\_\_\_\_

Noes: \_\_\_\_\_

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_

Comments: \_\_\_\_\_

Distributed on \_\_\_\_\_

A new ATF is required from \_\_\_\_\_

Department

Completed by \_\_\_\_\_

For meeting  
of \_\_\_\_\_

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: \_\_\_\_\_

Clerk or Deputy Board Clerk

Save

Print Form

**Amador County Board of Supervisors  
ACTION MINUTES  
REGULAR MEETING**

**DATE:** Tuesday, April 11, 2017  
**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:**

Richard M. Forster, District II-Chairman  
Lynn A. Morgan, District III-Vice-Chairman  
Patrick Crew, District I  
Frank U. Axe, District IV  
Brian Oneto, Supervisor, District V

**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 Forster 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 convened into regular session. Chairman Forster 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, Judy Dias, Human Resources Director and Darrell P. Murray, IEDA. Employee Organization: All Units

**ACTION: Update given.**

**Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}:**  
Foothill Conservancy v. County of Amador; In the Superior Court of California, Amador County, Case No. 16CV9876

**ACTION: Report from staff.**

County of Amador v. Department of the Interior, et al: In the United States Court of Appeal, District of Columbia Circuit, Case No. 16-5082

**ACTION: Nothing to report.**

County of Amador v. The United States Department of the Interior; In the United States Court of Appeal, Ninth Circuit, Case No. 15-17253

**ACTION: Nothing to report.**

**Conference with County Counsel – Anticipated Litigation {Government Code 54956.9(d) (2)}**  
Buena Vista Rancheria

**ACTION: Update given.**

Claim of Cheryl Smith

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

**MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Axe and carried to deny the subject claim due to liabilities and damages of the County being disputed.**

**Ayes: Supervisors Morgan, Axe, Forster and Crew**

**Noes: Supervisor Oneto**

**Confidential Minutes:** Review and approval of the confidential minutes for March 28, 2017.

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

**MOTION:** It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to approve the confidential minutes for March 28, 2017.

**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 Forster advised the following item has been added as an Addendum for today's date and will be heard as Item 14b.

**Drytown County Water District-Addendum:** Discussion and possible action relative to changing audit requirements for the Drytown County Water District.

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

**MOTION:** It was moved by Supervisor Morgan, seconded by Supervisor Oneto 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.**

**River Pines Public Utility District:** Mr. Patrick Henry, District V resident, addressed the Board and expressed concerns relative to the current Board and management of the River Pines Public Utility District (PUD); he stated currently the PUD consists of a five member Board that was appointed by the Board of Supervisors, as they ran unopposed. The current Chairperson of the Board is Ms. Cathy Landgraf. Mr. Henry stated he and other community members have concern relative to the integrity of the Chairperson and the entire Board. He stated he is concerned about the financial integrity of the PUD due to the current bookkeeper, Ms. Candy Bingham, being a personal friend and previous bookkeeper for Ms. Landgraf. He pointed out that the previous Company that Ms. Bingham worked for went bankrupt and faced embezzlement accusations. He continued by noting shortly after Ms. Bingham was hired the Board voted unanimously to appoint her as the Operations Manager of the Water and Sewer Departments, despite having no experience in these areas. He also noted Ms. Bingham is the highest paid employee the PUD has at this time. In addition, Mr. Henry brought up an issue that involved Ms. Landgraf allegedly bypassing her water meter by capping off hose bibs on her property. He stated this issue was reported to the Sheriff's Office, however if no formal charges are brought forth by Ms. Bingham, there is nothing further law enforcement can do. Mr. Henry stated the community has been vocal at recent meetings of the PUD to no avail. He also noted he has contacted the State Public Utility Commission and the State Attorney General who advised they do not have any

jurisdiction or bearing over the River Pines Public Utility District, therefore he is before the Board today to ask for guidance in this matter. Mr. Greg Gillott, County Counsel, responded by stating the Board of Supervisors does not have oversight over the River Pines Public Utility District. Therefore, he suggested Mr. Henry contact the Grand Jury as a possible remedy to the situation, or wait until a new Board of Directors is elected. Supervisor Oneto responded by stating he has met with Mr. Henry regarding this issue in the past and has also suggested he contact the Grand Jury or address it during the next Election cycle. Supervisor Oneto did point out that he met with Ms. Landgraf regarding the hose bib issue and recognizes the significance of the issue, but the bibs have since been capped off and Ms. Landgraf acknowledged it was an oversight on her part. However, he did point out that Ms. Landgraf has contributed a significant amount of time and effort in applying for and subsequently obtaining CDBG Planning Grants to facilitate repairs and modifications to the current water system in River Pines.

**Strategic Planning Workshop Update:** Supervisor Frank Axe took this time to provide a brief update relative to the Strategic Planning Workshop the Board attended on April 4, 2017. He stated the Board worked on issues such as working as a team, explicit governing policies such as, civility, respect, trust, honesty and governing professionally. He also noted procedures for speaking at the dais, being prepared for meetings were also covered. Supervisor Axe stated the Board also talked about and looked forward to a strategic theme of future economic development, support of tourism, fire safety, forest management and support of broadband internet. Supervisor Axe stated he would like to see a workshop planned for the future to continue the momentum gained at the Workshop and discuss possible ways to improve the local economy and develop and economic development plan.

**Noise Nuisance Issue:** Supervisor Frank Axe took this time to bring up a matter that is taking place in his District wherein a constituent is experiences noise nuisance issues (loud music etc.) from a neighbor and has been advised by law enforcement the County does not have an enforceable Ordinance in place for this type of complaint. County Counsel Gillott confirmed that there is currently not an Ordinance in Place. Chairman Forster encouraged Supervisor Axe to work with his constituents and the neighbors to encourage a compromise in this situation.

**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 possible action, 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 Crew, seconded by Supervisor Oneto and unanimously carried to approve the Consent Agenda as presented.**

## **REGULAR AGENDA**

**Common Ground Senior Services:** Discussion and possible action relative to an update by Ms. Elizabeth Thompson, Common Ground Executive Director, regarding a recap of programs offered, services delivered, and an overview of the agency's budget outlining income and expenses to date, and a request to allocate \$11,000.00 currently included in the 2016-2017 budget for the Meals-on Wheels program.

Ms. Kathi Toepel presented on behalf of Elizabeth Thompson who was unable to be present due to a last minute emergency.

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 unanimously carried to release \$11,000.00 to Common Ground Senior Services.

**Proposition 172 Funding and Distribution:** Discussion and possible action relative to allocation of Proposition 172 Funds.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and summarized the staff report which is hereby incorporated into these minutes as though set forth in full. It should be noted a complete copy of the Power Point presentation is included in the Board packet and online for review.

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

Ms. Rhonda Pope, Chairwoman for Buena Vista Rancheria  
Mr. Todd Riebe, District Attorney

**ACTION:** Direction given to continue this matter to May 9, 2017, to allow Chief Dominic Moreno, Sheriff Martin Ryan and Undersheriff Jim Wegner to be present for discussion.

**Amador Fire Protection District:** Discussion and possible action relative to increased costs of dispatching contract for Fire Services provided by Cal Fire under Amador County contract No. 2CA02179.

Mr. Dave Bellerive, Fire Chief, Amador Fire Protection District, summarized the staff report as set forth in full in the Board packet for today's date.

Discussion ensued with the following action being taken.

**ACTION:** Direction given to Chief Bellerive and CAO Iley to meet with City Managers to discuss sharing costs of dispatching costs for Fire Services provided by Cal Fire.



**United States Bicycle Route 50 (USBR50):** Discussion and possible action relative to Board input and direction to staff regarding the proposed (USBR50) route or potential alternate routes with conditions. (Continued from March 14, 2017)

This matter was continued to April 25, 2017 to allow representatives from CalTrans District 10 and Adventure Cycling to be present for questions the Board may have.

**ACTION:** Continued to April 25, 2017.

**Administrative Agency:** Discussion and possible action relative to a short term loan from the Water Supply Fund to pay construction costs associated with a CDBG Grant, on behalf of the Amador Water Agency, for the Pioneer Water Rehabilitation Project. This loan is 100% reimbursable from the Grant and funds will be deposited into the Water Supply revenue line item when received.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and summarized the staff report relative to this matter which is incorporated into these minutes as though set forth in full. In summary, he stated in April 2014, the Board approved submittal of a CDBG grant application on behalf of both AWA and River Pines. The grant was approved, and River Pines has completed their work and has been reimbursed. The AWA grant was for improvements to the water system upcountry that would improve water pressure and improve firefighting capabilities, as frequently water pressure out of the hydrants is so low that the water cannot be delivered to the fire. He continued by stating AWA is about to begin work on their \$1.3 million portion of the grant, and we need to make preparations to pay for this work. Since AWA was not eligible to apply for a CDBG grant, Amador County applied on AWA's behalf, with the understanding that AWA would bear the costs associated with the project. It is anticipated that the project will be completed within four months and all reimbursement received within six months. Mr. Iley stated staff is recommending that a budget transfer be approved to allocate funds to be utilized out of the Water Supply Fund to pay costs associated with the AWA portion of the CDBG Grant.

Discussion ensued with the following action being taken.

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

**MOTION:** It was moved by Supervisor Axe, seconded by Supervisor Morgan, and unanimously carried to approve a budget transfer in the amount of \$1,300,000.00 from the Water Supply Fund to pay construction costs associated with a CDBG Grant, on behalf of the Amador Agency, for the Pioneer Water Rehabilitation Project

**Assembly Bill 1066:** Discussion and possible action relative to Assembly Bill 1066 which would revise the definition of the term "demolition" as it relates to public works to include tree removal for the purposes of payment of prevailing wage.

Supervisor Forster addressed the Board and stated he feels the author of the Bill, Aguiar-Curry, is 100% driven by labor and will actually hurt local labor forces. He stated if this legislation passes it will add significant cost to the tree mortality crisis as out-of-state companies will not be deterred from bidding on projects for cleanup and mitigation of areas affected by tree mortality and drought and counties will have to dedicate funds to meet the prevailing wage requirements. The cost will drastically affect the county matches required to receive California Disaster Assistance Act funding. Supervisor Forster stated he recommends the Board strongly oppose this legislation.

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 unanimously carried to approve the Chairman's signature on a letter strongly opposing Assembly Bill 1066.

**Senate Bill 54:** Discussion and possible action relative to the subject legislation as it relates to Sanctuary State jurisdiction.

Mr. Greg Gillott, County Counsel, stated this is a very interesting but complicated piece of legislation. He stated the federal government has issued a Decline Detainer Report, which identifies Counties that have adopted policies that restrict cooperation with Immigration and Customs Enforcement (ICE). He stated ICE detainers ask Counties to retain inmates for up to two days after release to allow ICE investigators to research the status of the individual, however this raises 4<sup>th</sup> amendment violations and other hardships for the retaining agencies. Mr. Gillott pointed out that ICE detainers are voluntary and pursuant to advice from the California Attorney General detainer requests are not honored unless they are signed by a Judge. Mr. Gillott continued to touch on the area of the executive order that could restrict federal funding from the federal government if the County is deemed a Sanctuary County, however at this time there is ambiguity in the language of the order as well as the legislation.

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

Ms. Lois McDonald

Mr. Gary Reinoehl, District V resident

Further discussion ensued with the Board requesting further information from the Sheriff's Office prior to making a decision as to their position regarding Senate Bill 54.

**ACTION:** Direction given to Mr. Chuck Iley, County Administrative Officer, to confirm with the Sheriff and Undersheriff that they will attend the Administrative Committee Meeting on April 17, 2017 to discuss the impacts of enforcing this legislation from a law enforcement perspective and be prepared to discuss this at the Board Meeting on April 25, 2017.

**Assembly Bill 1665-Internet For All Act:** Discussion and possible action relative to approval of the Chairman's signature on a letter of support regarding Assembly Bill 1665, an act to amend Sections 281 and 914.7 of the Public Utilities Code, relating to communications.

Discussion ensued with Chairman Forster calling for volunteers to serve on an Ad-Hoc Committee to work with the CAO, Volcano Communications and any other provider deemed appropriate and that may have the opportunity to participate in proposed grant cycles. Supervisors Morgan and Oneto volunteered to serve on the Ad Hoc Committee.

Further discussion ensued with the following points specific but not limited to be included in the letter.

- Majority of funds be used to support infrastructure
- Focus on low income and rural aspect of the County and the fact that without the passage of this legislation the County is restricted in its ability of bringing in high tech industries.
- Language relative to the benefit of broadband (high-speed internet) to the Office of Emergency Services (i.e., Fairgrounds).

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

**MOTION:** It was moved by Supervisor Morgan, seconded by Supervisor Axe and unanimously carried to approve the Chairman's signature on a letter of support to be drafted by Supervisor Morgan relative to the subject legislation.

**Drytown County Water District-Addendum:** Discussion and possible action relative to changing audit requirements for the Drytown County Water District.

Supervisor Oneto stated this matter was brought to his attention by Drytown County Water District (DCWD) as they were inquiring as to new legislation that may deem them eligible to cease providing five year audits that are very costly, and submit a financial review/compilation with the assistance of the County Auditor. However, upon review of the legislation and conferring with the Auditor, only Special Districts that have revenue and financial transactions flowing through the County financial system/treasury would qualify. DCWD does not meet that qualification. Supervisor Oneto met with the County Auditor and was informed if the DCWD did begin to use the County Treasury for their financial transactions it would prove to be very costly as they would have to charge current audit fees as well as require a financial compilation be submitted. Therefore, the cost effectiveness would be minimal if any as compared to continuing to comply with the five year audit requirement as set forth now.

**ACTION:** None.

**Minutes:** Review and possible approval of the March 28, 2017 Board of Supervisors Meeting Minutes.

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

**MOTION:** It was moved by Supervisor Oneto, seconded by Supervisor Crew and unanimously carried to approve the March 28, 2017 Board of Supervisor Meeting Minutes with minor changes.

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

**PUBLIC HEARING**

**Extension of Urgency Ordinance Regarding Marijuana Related Activities:**  
Discussion and possible action regarding extension of an urgency ordinance regarding marijuana cultivation and related activities, in light of the passage of Proposition 64 by voters.

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

Ms. Carol Harper, speaking on behalf of a friend that is disabled and home bound and was unable to attend the meeting today. In summary her comments were related to, but not specific to the number of plants allowable under the current ordinance and concern regarding potential hardship for disabled persons that may not be legally allowed to grow enough plants to be useful for treating their disability. She mentioned her friend's opinion is that less crime would occur if individuals with a medical need are allowed to grow enough marijuana to meet their needs and not having to potentially obtain additional plants illegally to sustain their symptom management.

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

**MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Crew 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 and unanimously carried to extend the urgency ordinance regarding marijuana cultivation and related activities, in light of the passage of Proposition 64 voters.**

**ORDINANCE NO. 1767**

**An Interim Urgency Ordinance of the Board of Supervisors of the County of Amador prohibiting commercial non-medical marijuana activities and outdoor cultivation of non-medical marijuana within unincorporated Amador County.**

**ADJOURNMENT: Until Tuesday, April 25, 2017, at 8:30 a.m.**

**AMADOR COUNTY  
BOARD OF SUPERVISORS  
CONSENT MINUTES**

**April 11, 2017**

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. **Administrative Office:** Approval of a resolution regarding salaries and fringe benefits Mid-management employees relative to the Retirement Health Savings plan. **(Resolution 17-035)**
  - B. **Sheriff's Office / Office of Emergency Services:** Approval of an updated resolution proclaiming existence of a local emergency and requesting Governor to 1) proclaim a State of Emergency and 2) request a Presidential declaration. (Original resolution was adopted on January 31, 2017.) This update anticipates new damages are likely to occur through April 2017. **(Resolution 17-036)**
  - C. **Transportation and Public Works:** Approval of a resolution approving the total mileage of Amador County Maintained Roads. **(Resolution 17-037)**
  
4. **AGREEMENTS**
  - A. **Environmental Health:** Approval of the renewal of the Food Safety Training and Certification Agreement with California Association of Environmental Health Administrators.
  - B. **General Services Administration:** Approval of an amendment to agreement with Hunt & Sons, Inc., to provide fuel services for three years.
  
5. **ORDINANCES**      **None**

6. **MISCELLANEOUS APPOINTMENTS**

- A. **Commission on Aging:** Approval of the re-appointment of Linda Matulich to the subject commission for a term of three years ending on March 27, 2020.

7. **MISCELLANEOUS**

- A. **General Services Administration:** Approval to award RFP 17-02 to Wood-Land Expansion, Inc., authorize GSA Director and County Counsel to develop a contract not to exceed \$28,650.00, and authorize the Chairman to sign said contract upon agreeable terms.
- B. **Human Resources:** Approval of a request to establish a new classification in the Health Educator series, Health Educator II, and reclassify the current Health Educator to Health Educator II, retroactive to January 1, 2017.
- C. **Human Resources:** Approval of a request to modify the retroactive date for the reclassification of the Health Educator passed at the March 28, 2017 Board of meeting to January 1, 2017.
- D. **Social Services:** Approval of a request to backfill one Child Protective Services (CPS) Social Worker I/II/III position. This is a Merit System position and their standards and guidelines must be followed.

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Richard M. Forster, Chairman, Board of Supervisors

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

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# AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
04/25/17	

To: Board of Supervisors

Date: April 5, 2017

From: Susan Grijalva Phone Ext. 380

(Department Head - please type)

Department Head Signature *Susan Grijalva*

Agenda Title: PUBLIC HEARING - HOLLEY TRUST. Request for a variance from County Code Section 19.24.040, front yard building setback.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)  
 Consideration of Planning Commission's recommendation to approve a request for a variance from County Code 19.24.040, which requires a twenty-five foot (25') front yard building setback in the "R1-PD," Residential Single Family District, to allow construction of an attached garage and entryway approximately 5 feet (5') from the front property line.

The property is located at 33930 Dangberg Drive, being Lot 74 of Kirkwood Meadows Unit 1 (APN 026-171-014).

Recommendation/Requested Action:  
Adopt a resolution approving the variance from the front yard building setback.

Fiscal Impacts (attach budget transfer form if appropriate) \_\_\_\_\_ Staffing Impacts \_\_\_\_\_

Is a 4/5ths vote required? Yes  No

Committee Review? Name Planning Commission N/A

Committee Recommendation:  
Approval

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

Request Reviewed by:

Chairman <u><i>Jon</i></u>	Counsel <u><i>GC</i></u>
Auditor <u><i>YOR</i></u>	GSA Director <u><i>HP</i></u>
CAO <u><i>de</i></u>	Risk Management <u><i>Chris</i></u>

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

### FOR CLERK USE ONLY

Meeting Date 4/25/17 Time \_\_\_\_\_ Item # 14

Board Action: Approved Yes \_\_\_ No \_\_\_ Unanimous Vote: Yes \_\_\_ No \_\_\_

Ayes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_ Other: \_\_\_\_\_

Noes: \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance \_\_\_\_\_

Absent: \_\_\_\_\_ Comments: \_\_\_\_\_

Distributed on _____	A new ATF is required from _____ Department _____ For meeting of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.  ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____		

**STAFF REPORT TO: THE AMADOR COUNTY BOARD OF SUPERVISORS  
FOR MEETING OF APRIL 25, 2017**

**PUBLIC HEARING - REQUEST FOR A VARIANCE FROM COUNTY CODE SECTION 19.24.040, "PD-R1" DISTRICT REGULATIONS WHICH REQUIRES A 25' FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF AN ATTACHED GARAGE AND ENTRANCE WAY TO AN EXISTING RESIDENCE WITHIN APPROXIMATELY 5' OF THE FRONT PROPERTY LINE (APN 026-171-014).**

**APPLICANT:** Frederick O. Holley & Maud Gleason Trust  
**SUPERVISORIAL DISTRICT 3**

**LOCATION:** 33930 Dangberg Drive about ¼ mile west of the intersection with Fremont Road, being Lot 74 of Kirkwood Meadows Unit 1, in Kirkwood.

- A. GENERAL PLAN DESIGNATION:** S-P, Special Planning
- B. PRESENT ZONING:** "PD-R1," Planned Development-Single Family Residential District
- C. DESCRIPTION:** The applicants are proposing to construct an addition to their existing residence consisting of a 634 square-foot garage and a 181 square-foot enclosed stairway connecting the garage and residence. This addition is proposed to be located within the front building setback, approximately 5 feet from the property line. The addition, as proposed, requires a variance from County Code §19.24.040, "R1" District Regulations which requires a 25-foot front setback.
- D. TAC/TCTAC RECOMMENDATION:** The application was reviewed by the Amador County Technical Advisory Committee on February 15, 2017, and TAC found no technical objections to the Planning Commission recommending approval to the Board of Supervisors, subject to the Board approving an abandonment of the Public Utility Easement adjacent to the front property line. The recorded subdivision map notes that, "*Easements for public utilities, light, air, snow storage, parking bays including grading slopes, drainage ditches, underground wires and conduits and all appurtenances thereto within those strips of land lying between the front lot line and the lines shown hereon and designated "Building Set Back Lines," said strips to remain open and free from buildings.*" As a result of the front building setback also being a public utility easement, the variance, if granted, is conditioned upon completing the abandonment of this easement. The abandonment process is currently being processed through the County Surveyor's Office.

The application was reviewed by the Tri-County Technical Advisory Committee on March 10, 2017; TCTAC found no inconsistencies with the Kirkwood Specific Plan.

- E. PLANNING COMMISSION RECOMMENDATION:** The Amador County Planning Commission, during their regular meeting of March 14, 2017, recommended approval of the variance to the Board of Supervisors along with the conditions and findings, below.
- E. BOARD OF SUPERVISORS ACTION:** The Board of Supervisors may deny the request or grant the request with conditions that the Board deems appropriate. If the Board moves to approve the variance, the following conditions and findings are recommended for adoption:

Conditions:

1. *Prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback;*



2. *Prior to issuance of the building permit the applicant must obtain written approval from the Kirkwood Meadows Association Planning Committee for said construction;*
3. *Prior to issuance of the building permit the applicant must obtain from the Department of Transportation and Public Works an encroachment permit for the driveway, the location of which shall be such that it will not adversely impact the snow storage area adjacent to the proposed driveway.*
4. *All necessary building permits shall be obtained from the Building Department for construction of the proposed structure.*

Findings:

1. *This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject;*
2. *Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications; and*
3. *This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 of the State CEQA Guidelines (minor setback variance not resulting in the creation of any new parcel) and a Notice of Exemption will be filed with the County Recorder.*

Recording requested by:  
BOARD OF SUPERVISORS  
When recorded send to:  
BOARD OF SUPERVISORS

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

IN THE MATTER OF:

RESOLUTION APPROVING A VARIANCE TO)  
COUNTY CODE §19.24.040 – PD-R1 DISTRICT)  
REGULATIONS REQUIRING A 25’ BUILDING)  
SETBACK FROM FRONT PROPERTY LINES - TO)  
ALLOW CONSTRUCTION OF AN ATTACHED)  
GARAGE AND ENTRYWAY AT 33930 DANGBERG)  
DRIVE, APN 026-171-014 – FREDERICK O.)  
HOLLEY AND MAUD GLEASON TRUST )

RESOLUTION NO. 17-XXX

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve a request for variance from County Code §19.24.040 which requires structures to be set back a minimum of twenty-five (25) feet from the front property line, to allow construction of an attached garage and entryway within five (5) feet of the front property line.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 25th day of April, 2017, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
CHAIRMAN, Board of Supervisors

ATTEST:

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

- I. **Brown Act Overview:** Grace Pak, Deputy County Counsel, provided a brief overview of the Brown Act. She stated it is the open meeting law and applies when the majority of members are in attendance. Ms. Pak stated social and ceremonial functions are not subject to the Brown Act. She added that serial meetings, such as a "daisy chain" or "hub and spoke," are prohibited. Ms. Pak reminded the Commission there are civil and criminal consequences to Brown Act violations. She also reviewed a recent ruling on public records requests stating that personal devices, emails and texts are subject to the act.

### Agenda Item

- Item 1 - Request for a five-year extension of time for Tentative Parcel Map #2655, proposing the division of 65.62 acres into four parcels consisting of 5, 20, 20 and 20 acres.**

**Applicant:** Ralph and Carmen Colet

**Supervisory District:** 3

**Location:** On both sides of Hwy 26 (Red Corral Road) between Joyce Road and Bobbie Lane in the Pioneer area (APN 031-010-109).

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

Commissioner Ryan asked if any progress had been made on the conditions and if there was a fee to request an extension. Mr. Beatty stated there is no activity from Environmental Health or Public Works to complete the conditions and added there is a \$328 application fee to request an extension.

Commissioner Byrne stated he did not feel comfortable granting extensions on old environmental documents especially if there is no activity on the project. Mr. Beatty reviewed the approval dates again: the project was approved in 2006, received the four gubernatorial extensions and the Planning Commission granted a one extension of time in February 2016. Commissioner Ryan felt that a two or three year extension would be appropriate due to the cost of the extensions. Commissioner Byrne stated he would be comfortable granting two years.

**MOTION:** It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to grant a two-year extension of Tentative Parcel Map No. 2655.

**NOTE:** Mr. Beatty advised the Planning Commission approved the six year extension of Tentative Parcel Map Number 2655. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 24, 2017, at 5:00 p.m. along with the appropriate appeal fee.

### Public Hearings

- Item 2 - Request for a variance from County Code Section 19.24.040, "PD-R1" District Regulations which requires a 25' front building setback to allow construction of an attached garage and entrance way to an existing residence within approximately 5' of the front property line**

**APPLICANT:** Frederick O. Holley & Maud Gleason Trust

**SUPERVISORIAL DISTRICT III**

**LOCATION:** 33930 Dangberg Drive about ¼ mile west of the intersection with Fremont Road, being Lot 74 of Kirkwood Meadows Unit 1, in Kirkwood (APN 026-171-014).

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

There was no public comment.

**MOTION:** It was moved by Commissioner Byrne, seconded by Commissioner Ryan and unanimously carried to close

the public hearing.

Commissioner Ryan asked if granting the variance is contingent upon abandoning the easement. Mr. Beatty stated yes it is.

**MOTION:** It was moved by Commissioner Callsen, seconded by Commissioner Byrne and unanimously carried to recommend approval of a 5' front setback variance to the Board of Supervisors subject to the conditions and findings contained in the staff report, and find the project is categorically exempt from CEQA.

**NOTE:** Mr. Beatty advised the Planning Commission recommended approval of the Holley variance request. This matter will be heard at a future Board of Supervisors meeting and notices will be mailed out.

**Item 4 - Request for a Use Permit pursuant to County Code Section 19.24.045 D.3. to allow an annual 6-day outdoor camp for approximately 100 youth and 25 support staff in an "R1A," Single-Family Residential & Agricultural District.**

**Applicant:** West Point Community Covenant Church (Jeff Haight, Pastor)  
**Supervisory District 3**

**Location:** 35002 Highway 88, Pioneer, CA, approximately one-half mile south of Highway 88 along Panther Creek Road (APN 024-090-001).

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

Jeff Haight, Pastor for West Point Community Covenant Church, stated the camp has been in operation for the past 60 years, 32 years in the current location. Mr. Haight asked if it would be possible to phase the conditions; for example, provide potable water and septic this year and work on refrigeration next year.

Commissioner Ryan asked if there was electricity at the site. Mr. Haight stated there is no electricity. Commissioner Callsen asked how the church became aware of the need for a use permit. Mr. Haight stated Larry Stanton with Amador Fire Protection District found the camp.

Commissioner Wardall asked if there have been instances of food borne illnesses; Mr. Haight stated no.

Commissioner Ryan

**Item 3 – Request for a Zone Change from "R1A," Single-Family Residential & Agricultural District to "AG," Exclusive Agriculture District in conjunction with a request for inclusion into a California Land Conservation Act Contract and request for a variance from County Code Section 19.24.036 (4) for inclusion of a parcel less than 40 acres.**

**APPLICANT:** Town Centre Car Wash Company, Inc. (Jim Riskas, owner)  
**SUPERVISORIAL DISTRICT 5**

**LOCATION:** 20550 Ostrom Road, approximately 0.30 miles north of Fiddletown Road (APN 014-170-035).

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

**Adjournment:** At 7:30 p.m. Chairman Wardall adjourned this meeting of the Planning Commission, to meet again on April 11, 2017.

STAFF REPORT TO: THE AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF MARCH 14, 2017

ITEM 2 - REQUEST FOR A VARIANCE FROM COUNTY CODE SECTION 19.24.040, "PD-R1" DISTRICT REGULATIONS WHICH REQUIRES A 25' FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF AN ATTACHED GARAGE AND ENTRANCE WAY TO AN EXISTING RESIDENCE WITHIN APPROXIMATELY 5' OF THE FRONT PROPERTY LINE (APN 026-171-014).

APPLICANT: Frederick O. Holley & Maud Gleason Trust

SUPERVISORIAL DISTRICT III

LOCATION: 33930 Dangberg Drive about ¼ mile west of the intersection with Fremont Road, being Lot 74 of Kirkwood Meadows Unit 1, in Kirkwood.

A. GENERAL PLAN DESIGNATION: S-P, Special Planning

B. PRESENT ZONING: "PD-R1," Planned Development-Single Family Residential District

C. DESCRIPTION: The applicants are proposing to construct an addition to their existing residence consisting of a 634 square-foot garage and a 181 square-foot enclosed stairway connecting the garage and residence. This addition is proposed to be located within the front building setback, approximately 5 feet from the property line. The addition, as proposed, requires a variance from County Code §19.24.040, "R1" District Regulations which requires a 25-foot front setback.

D. STAFF/TAC RECOMMENDATION:

The application was reviewed by the Amador County Technical Advisory Committee on February 15, 2017, and TAC found no technical objections to the Planning Commission recommending approval to the Board of Supervisors, subject to the Board approving an abandonment of the Public Utility Easement adjacent to the front property line. The recorded subdivision map notes that, "*Easements for public utilities, light, air, snow storage, parking bays including grading slopes, drainage ditches, underground wires and conduits and all appurtenances thereto within those strips of land lying between the front lot line and the lines shown hereon and designated "Building Set Back Lines", said strips to remain open and free from buildings.*" As a result of the front building setback also being a public utility easement, the variance, if granted, is conditioned upon completing the abandonment of this easement. The abandonment process is currently being processed through the County Surveyor's Office.

The application will be reviewed by the Tri-County Technical Advisory Committee on March 10, 2017, and a report of TC-TAC's findings and/or recommendations will be presented to the Planning Commission during its March 14, 2017 meeting.

E. CONDITIONS AND FINDINGS: If the Planning Commission moves to recommend approval of the variance to the Board of Supervisors, the following conditions and findings are recommended for adoption:

Conditions:

1. Prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback;

2. *Prior to issuance of the building permit the applicant must obtain written approval from the Kirkwood Meadows Association Planning Committee for said construction;*
3. *Prior to issuance of the building permit the applicant must obtain from the Department of Transportation and Public Works an encroachment permit for the driveway, the location of which shall be such that it will not adversely impact the snow storage area adjacent to the proposed driveway.*
4. *All necessary building permits shall be obtained from the Building Department for construction of the proposed structure.*

Findings:

1. *This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject;*
2. *Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications; and*
3. *This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor setback variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.*



**PLANNING DEPARTMENT  
LAND USE AGENCY**

County Administration Center  
810 Court Street • Jackson, CA 95642-2132  
Telephone: (209) 223-6380  
Website: [www.amadorgov.org](http://www.amadorgov.org)  
E-mail: [planning@amadorgov.org](mailto:planning@amadorgov.org)

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**APPLICATION REFERRAL**

**TO:**

Amador County Environmental Health Dept.	Amador County Surveying Dept.
Amador County Public Works Dept.	KMPUD
Amador County Building Dept.	Volcano Telephone Company
Amador County Counsel	

**DATE:** January 24, 2017

**FROM:** Amador County Planning Dept.

**PROJECT:** Request by Frederick Holley & Maud Gleason for variance from County Code Section 19.24.040 which requires a 25-foot front yard building setback, in order to allow construction of an enclosed garage within 5 feet of the front property/right-of-way line. The proposed garage would be located approximately 20 feet from the edge of pavement of Dangberg Drive.

**LOCATION:** 33930 Dangberg Drive, Kirkwood, CA, (Lot 74, Kirkwood Meadows Unit 1) located approximately ¼ mile west of the intersection with Fremont Road. *NOTE: This variance, if granted, will also require the abandonment of the 25' public utility easement located along the front lot line as noted on the subdivision map and an encroachment permit for that portion of the driveway proposed to be located within the road right-of-way.*

**REVIEW:** As part of the preliminary review process, this project is being sent to County staff and local agencies for their review and comment. The application will be reviewed by the **Tri-County Technical Advisory Committee (TCTAC)** on **Friday, February 10, 2017** at **10:00 a.m.** at the **Kirkwood Meadows Public Utilities District Community Services Building on Loop Rd. in Kirkwood, California.**

The **Amador County Technical Advisory Committee** will review the proposed project application on **Wednesday, February 15, 2017** at **2:00 p.m.** at the County Administration Center, 810 Court St., Jackson, California. If the project application is complete, conditions will be formulated along with project recommendations and findings to be forwarded to the Planning Commission for their consideration.

At this time staff anticipates the project will be Categorical Exempt from CEQA. Please forward your recommendations and/or concerns to the Planning Department as soon as possible.

cc: file

January 8, 2017

To; Amador County Planning Department

From: Frederick Holley and Maud Gleason

Re: Proposed Garage Addition, 33930 Dangberg Dr, Kirkwood, CA 95646

RECEIVED  
Amador County

JAN 19 2017

PLANNING DEPARTMENT

A.P.N. 026-171-014

### REQUEST FOR VARIANCE TO FRONT SETBACK

#### Background:

We have enjoyed the use of our summer and winter vacation home in Kirkwood for 30 years without a garage. However, now in our 60's, we find it increasingly difficult to climb the 15 foot snowbank from the road with luggage and groceries. In addition, my wife now has a longterm neuromuscular disability that makes it unsafe for her to continue doing so. When we bought the house in 1987, garages were not permitted in the subdivision. This rule was changed approximately 15 years ago, and now roughly half of the houses on our part of Dangberg have attached garages.

#### Front Setback:

Our survey shows the front property line of the parcel to be approximately 18 feet in from the pavement. Between there and the house, there is barely room for an adequate-size garage, and only in the location shown, respecting the 5 foot front setback and 15 foot side setback required by KMA. However, this will require a variance from the 25 foot front setback required by Amador County. There will be no living space included with the addition, which will be unheated, with no plumbing.

#### Other pertinent details:

- (1) The design has preliminary approval from the KMA Planning Committee, granted at the Sept 24, 2016 meeting. We expect final approval at the Feb 25, 2017 meeting. No design changes have been made since preliminary approval, and no variances to KMA Planning rules were requested.
- (2) As noted above, approximately half of the houses in the neighborhood now have garages, and all are built in the 25 foot front setback, as suggested by KMA, to reduce the amount of snow removal that would be required by a longer driveway. Our design will be consistent and harmonious with the neighborhood.

Thank you.





JAN 19 2017

PLANNING DEPARTMENT

ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.  
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: Garage Addition, 33930 Danberg Dr, Kirkwood CA 95646

Date Filed: Jan 11 2017 File No. \_\_\_\_\_

Applicant/ Developer: Frederick Helles Landowner: same

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone No. \_\_\_\_\_ Phone No. \_\_\_\_\_

Assessor Parcel Number(s) 026-171-014

Existing Zoning District \_\_\_\_\_

Existing General Plan \_\_\_\_\_

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies KWA Planning or Kirkwood PUD (in progress)  
Amador County Survey Dept - abatement of unused utility easement,  
Amador County Planning - tent setback variance request

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

JAN 19 2017

PLANNING DEPARTMENT

ADDITIONAL INFORMATION: Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date Jan 8 2017

[Signature]  
(Signature)

For \_\_\_\_\_

JAN 19 2017

January 8, 2017

PLANNING DEPARTMENT

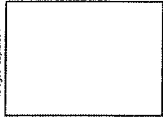
ENVIRONMENTAL INFORMATION

Proposed Garage Addition, 33930 Dangberg Dr, Kirkwood CA 95646 APN 026-171-014

- (1) Approx ¼ acre
- (2) existing 1600 sq ft single family residence, proposed 600 sq ft 2 car garage with attached stairwell to house
- (3) single story, with attached enclosed stairwell
- (4) 2 car garage, with potential 2 parking spaces in driveway if needed
- (5, 6) no plumbing
- (7) sent by pdf
- (8) June -Sept 2017
- (9 - 15) N/A
- (16) Front setback variance requested through Amador County Planning
- (24) Existing slope is between 10 - 20 % on this part of the lot. Garage will be excavated into the slope with engineered slab and retaining walls. Water will drain to the road, as it does currently.
- (29) Project site is a developed lot in KMA subdivision 1. The lot has a natural slope in this mountain area, and the lot, as the subdivision in general, has only native plants and trees. These will be preserved as much as possible, and restored if needed, as required by the HOA.
- (30) The subdivision is residential, with tight architectural and environmental controls, as imposed and monitored by the HOA (Kirkwood Meadows Assn.) The current and propose structures comply with all KMA requirements.
- (31) None.



BILLING CONCEPTS, INC.  
 1000 EAST 10TH AVENUE  
 SUITE 200  
 DENVER, CO 80202  
 (303) 733-8800  
 www.conceptsbill.com



THIS IS NOT A SURVEY. THIS SITE PLAN WAS  
 PREPARED BASED UPON TOPOGRAPHIC  
 INFORMATION PROVIDED BY OTHERS. THE  
 CONTRACTOR OF RECORD SHALL VERIFY EXISTING  
 SITE CONDITIONS PRIOR TO COMMENCEMENT OF  
 ANY WORK. IF EXISTING CONDITIONS DIFFER  
 FROM THOSE SHOWN ON THIS PLAN, BUILDING  
 CONCEPTS, INC. SHALL BE NOTIFIED PRIOR TO  
 COMMENCEMENT OF ALL WORK.

MIKE DAY CONSTRUCTION  
 22001 HWY 88  
 MARKLEEVILLE, CA 96120  
 (775) 848-8500

33930 DANBURG DRIVE  
 AMADOR COUNTY, CALIFORNIA  
 APN # 026-171-014

HOLLEY GARAGE  
 33930 DANBURG DRIVE  
 AMADOR COUNTY, CALIFORNIA  
 APN # 026-171-014

**SITE PLAN**

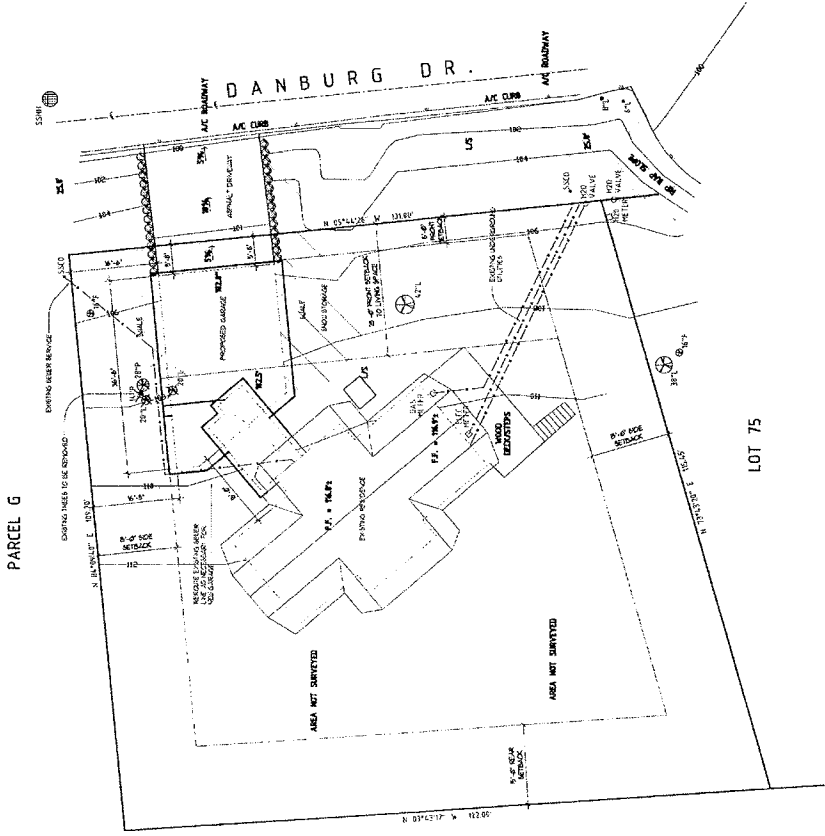
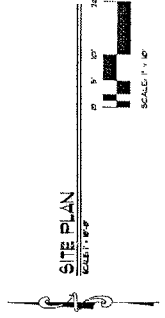
APN 026-171-014  
 KIRKWOOD MEADOWS  
 UNIT 1  
 LOT # 14

ACRES 12.989 SQ. FT.  
 ZONING KMA  
 SETBACKS: FRONT - 25'  
 SIDES - 15'  
 REAR - 15'  
 FLOOD ZONE: X-UNSHADDED  
 PHYSICAL ADDRESS: 33930 DANBURG DRIVE  
 KIRKWOOD, CA 95646

PROPOSED 181 SQ. FT. RESIDENCE ADDITION  
 WITH 624 SQ. FT. GARAGE ADDITION  
 FOR PRED. HOLLEY.

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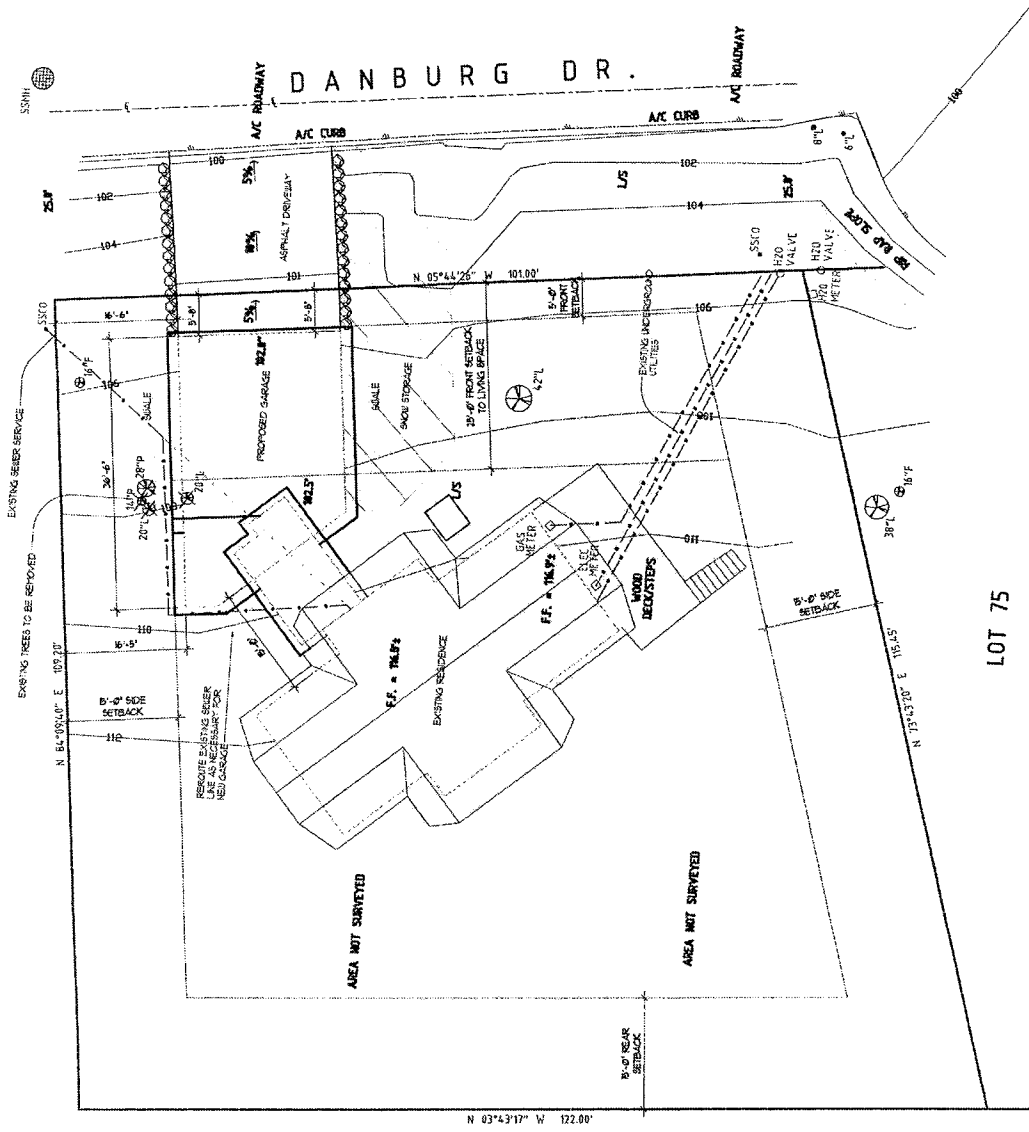


PARCEL G

010

SHEET

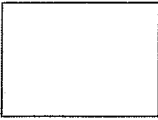
PARCEL G



LOT 75



**BUILDING CONCEPTS, INC.**  
 1400 S. GARDEN AVENUE  
 SUITE 100  
 ANAHEIM, CA 92805  
 (714) 933-8800  
 www.bldgconcepts.com



**NOTES:**  
 1. ALL DIMENSIONS SHALL BE TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL WALLS SHALL BE 12" THICK UNLESS NOTED OTHERWISE.  
 3. ALL FLOORS SHALL BE 4" CONCRETE ON 2" POLYSTYRENE INSULATION UNLESS NOTED OTHERWISE.  
 4. ALL ROOFING SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 5. ALL EXTERIOR FINISHES SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 6. ALL INTERIOR FINISHES SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 7. ALL MECHANICAL, ELECTRICAL AND PLUMBING SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 8. ALL UTILITIES SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 9. ALL FOUNDATION SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
 10. ALL STRUCTURAL SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.  
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**MIKE DAY CONSTRUCTION**  
 22001 HWY 88  
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 (776) 848-8500

**SHEDDING**  
 SHEET NO. 1  
 SHEET TOTAL 1

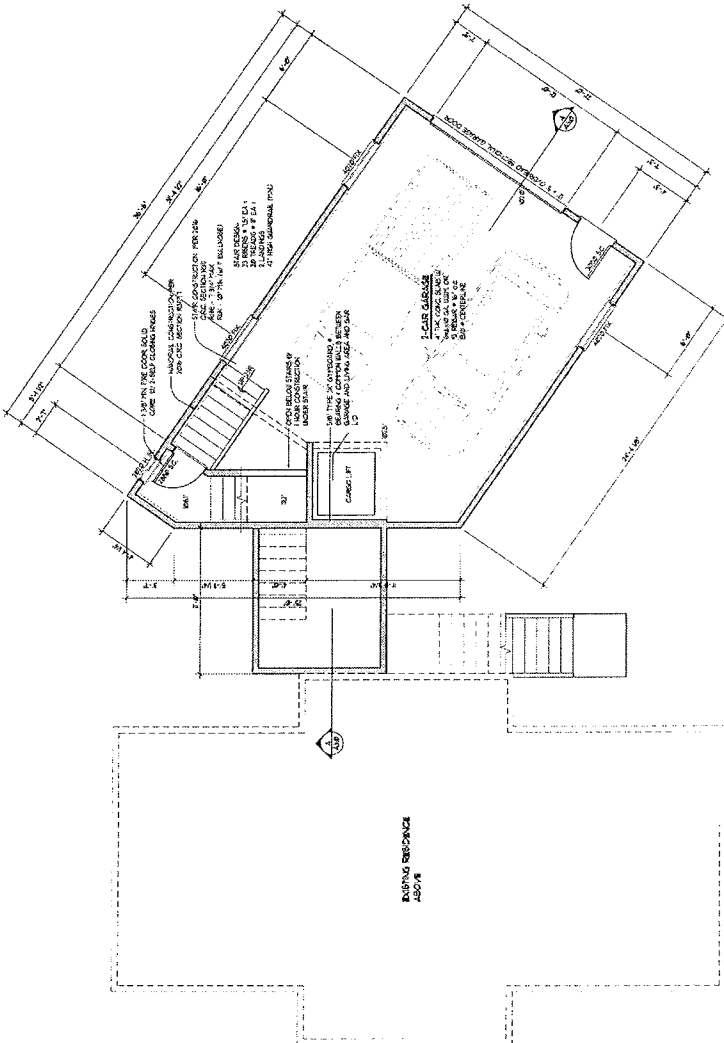
**HOLLEY GARAGE**  
 33930 DANGBURG DRIVE  
 AMADOR COUNTY, CALIFORNIA  
 APN # 026-171-014

SHEET  
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**PRELIMINARY  
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 DATE: 09/10/2010

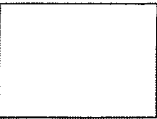
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 11. ALL OTHERS SHALL BE AS NOTED OR PER LOCAL CODE REQUIREMENTS.

**LOWER FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 41' 0" TOTAL WIDTH  
 41' 0" TOTAL HEIGHT





SELWIS CONCEPTS INC.  
 10000 W. 10TH AVENUE  
 SUITE 100, DENVER, CO 80202  
 PHONE: 303.751.1888  
 WWW.SELWISCONCEPTS.COM



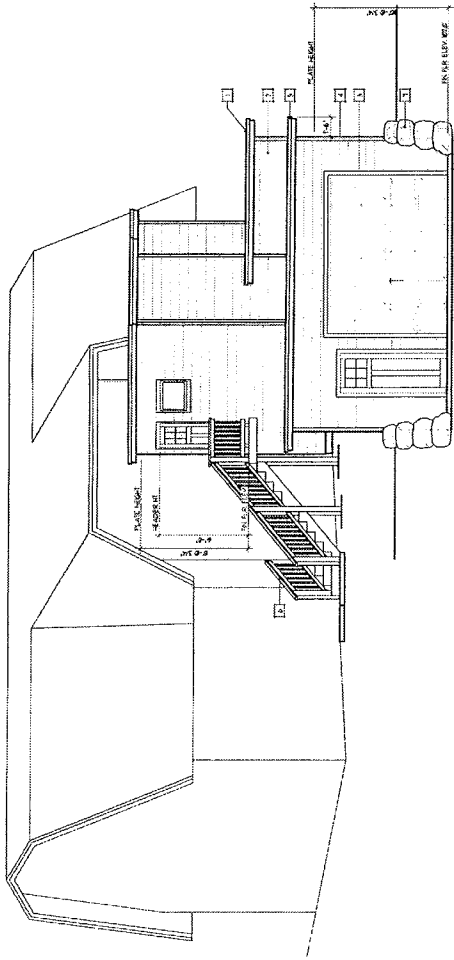
NOTES:  
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.  
 2. FINISHES AND MATERIALS TO BE DETERMINED BY THE ARCHITECT.  
 3. ALL MATERIALS AND FINISHES SHALL BE MATCHED TO THE EXISTING.  
 4. ALL MATERIALS AND FINISHES SHALL BE MATCHED TO THE EXISTING.

MIKE DAY CONSTRUCTION  
 22001 HWY 88  
 MARKLEEVILLE, CA 96120  
 (775) 848-8500

SHEET NO. 025-171-014  
 PROJECT NO. 025-171-014  
 DRAWN BY: [blank]  
 CHECKED BY: [blank]

**HOLLEY GARAGE**  
 33930 DANBURG DRIVE  
 AMADOR COUNTY, CALIFORNIA  
 APN: # 025-171-014

SHEET  
**A20**



**FRONT VIEW**  
 SCALE: 1/4" = 1'-0"

FINISHES AND MATERIALS TO BE MATCHED TO THE EXISTING.  
 ALL MATERIALS AND FINISHES SHALL BE MATCHED TO THE EXISTING.

- EXTERIOR MATERIAL LEGEND**
1. CONSTRUCTION MATERIALS TO BE MATCHED TO THE EXISTING
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**PRELIMINARY**  
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 DATE: 05/01/2010





**CONCEPTS**

**B**

CONCEPTS INC.  
 11000 S. HAY  
 SUITE 100  
 MARKLEEVILLE, KY 40360  
 TEL: 502-338-9330  
 WWW.CONCEPTSINC.COM

2013 CRC R371 WILDLAND-URBAN  
 INTERFACE CODE (IUIIUC)

MIKE DAY CONSTRUCTION  
 22004 HWY 88  
 MARKLEEVILLE, CA 95120  
 (775) 848-8600

33930 DANBURG DRIVE  
 MADONR COUNTY, CALIFORNIA  
 APN # 026-171-014

**HOLLEY GARAGE**

SHEET  
**A.2.2**

**2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC)**

ALL ENDPOINTS SHALL BE CORRECTED WITH THE FOLLOWING: ALL EXISTING FOUNDATIONS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

**EXTENSION WALLS ENDORSEMENT (CRC R301.04)**

SECTION 1001.01: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.02: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.03: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.04: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.05: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.06: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.07: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.08: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.09: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.10: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.11: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.12: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.13: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.14: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.15: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.16: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

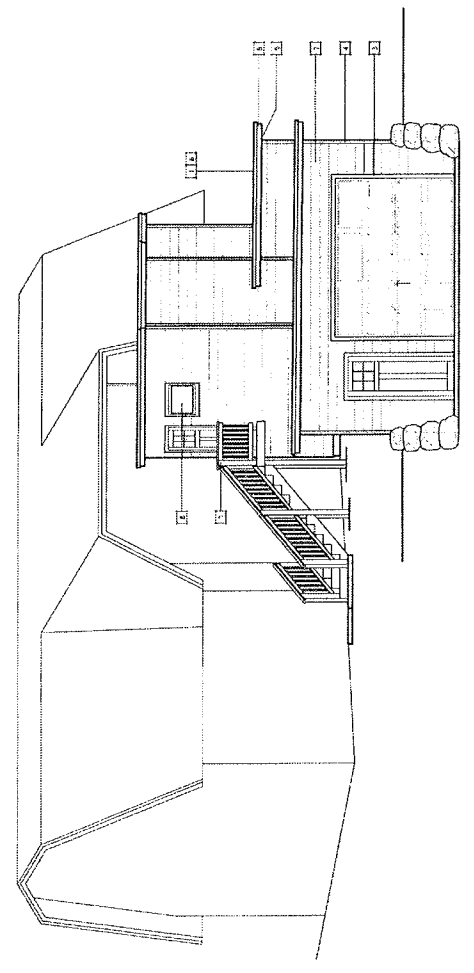
SECTION 1001.17: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.18: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.19: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

SECTION 1001.20: EXTENSION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).

- KEYNOTES**
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).
  2. ALL EXISTING FOUNDATIONS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF THE 2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC).
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**2013 CRC R371 WILDLAND-URBAN INTERFACE CODE (IUIIUC)**  
 SCALE: 1/4" = 1'-0"

**PRELIMINARY  
 NOT FOR CONSTRUCTION**

DATE: 09/18/2010