

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, March 27, 2018
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:

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

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.

Closed Session Item 2c: Conference with County Counsel: Existing Litigation- {Government Code 54956.9(d)
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

The following individuals took this time to address the Board regarding the above Closed Session Agenda item. Their comments included, but were not specific entirely to urging the Board to consider appealing the latest decision regarding the lawsuit against the Department of the Interior with respect to Buena Vista. (The Board took the comments under submission and convened into Closed Session).

- Ms. Jill Curran, District II resident
- Mr. Bill May, District II resident
- Mr. Butch Cranford, District V resident
- Mr. Mark Suden, District I resident

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. Chairperson Morgan reported the following issues were reviewed in closed session:

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6.
County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resource Director, Darrell P. Murray, IEDA. Employee Organizations: All Units

ACTION: Direction given to staff.

PLEDGE OF ALLEGIANCE: Chairperson Morgan led the Board and the public in the *Pledge of Allegiance*.

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**.

Shakeridge Road: Mr. Gary Reinoehl, District V resident, took this time to thank a local upcountry resident for his prompt posting of the issue with the crack developing on Shakeridge Road on a social network site which prompted residents in the area to be proactive and visit the site to ascertain the significance of the problem. Mr. Reinoehl stated he contacted Public Works and is very pleased by the quick response by Mr. Jered Reinking, Interim Public Works Director, and his staff on a Saturday. He stated Mr. Reinking personally arrived at the site and assessed the damage to ensure public safety as soon as possible. Chairperson Morgan expressed her gratitude to Mr. Reinoehl for contacting Public Works directly and in such an efficient manner.

Mr. Jered Reinking, Interim Public Works Director, addressed the Board and expressed his thanks to Mr. Gary Reinoehl for sending notice immediately to Public Works upon learning about the crack in the road. He then provided a brief update by stating after he was notified of the issue he visited the site and determined the crack was in the center of Shakeridge road within the area that was recently repaired last fall. Mr. Reinking stated after evaluating the situation he determined that closing the road was in the best interest of public safety. He commended the Road Crew for arriving on scene within an hour of the closure determination with detour signs and ready to take all necessary steps to close the road. He continued by stating he has made contact with the

engineers and consultants that worked on the original design and performed the storm damage repairs to the road last fall. Mr. Reinking stated he is planning to meet with key players in the next several days to identify a repair plan. He stated the consultants are aware that the issue of liability will be discussed as this moves forward, but at this time he feels the main priority is to identify a repair solution and get the road opened as soon as possible.

Homeless Issues: Mr. Tyx Pulskamp, District I resident, addressed the Board and requested the County furnish him with large trash bags and gloves as he has a good relationship with some local homeless individuals and could assist with cleaning up or working with individuals to clean up their trash or other debris that may be left behind from day to day.

Amador Council of Tourism: Ms. Maureen Funk, Amador Council of Tourism, took this time to invite the Board to attend *Amador, A Visitors View*, which will take place on Thursday, March 29, 2018 from 5:00-8:00 p.m. at Bella Grace Tasting Room in Sutter Creek. The topic of the event will be to celebrate 15 years of inviting visitors to Amador County.

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

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

MOTION#1: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to approve the agenda as presented.

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: Direction given pursuant to the following motion.

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

REGULAR AGENDA

Healing The Homeless In Amador County: Workshop regarding concerns regarding homelessness in Amador County and discussion to identify potential solutions.

The following individuals/entities provided informative presentations regarding the Homeless situations and programs that are currently available as well as future needs going forward. Copies of the individual Power Point Presentations are available on the County website included with the Board Packet materials for this date as well on the newly designed Homeless Task Force page. Audio for this presentation is also available online.

- Susan Ross and Bob Stimpson-Homeless Task Force
- Jim Foley-Amador County Health and Human Services
- Raj Rambob and Denise Cloward-Amador-Tuolumne Community Action Agency
- Susan Ross-(representing Beth Stanton) Amador Interfaith Food Bank

- Joseph Bartholomew-Sierra Wind
- Nichol Mulford-Victory Village
- Cathy Frey-Well Space
- Martin Ryan-Sheriff's Office
- Todd Riebe-District Attorney's Office
- Mr. Mark Bonini-Probation Department
- Mr. Tyx Pulskamp, Homeless Taskforce/Victory Village

The following individuals also addressed the Board at this time.

- Ms. Sherry Curtis, District III resident
- Ms. Bronwyn Hogan, District II resident

ACTION: None. Presentation Only. Supervisor Axe advised this matter will be revisited moving forward as possible solutions are identified.

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

PUBLIC HEARINGS

Planning Department: Discussion and possible action relative to a request from Pheasant Hill Partners, LLC, for a General Plan Amendment from A-G, Agricultural-General (40-Acre Density) to A-T, Agricultural-Transition (5-20 Acre Density) and Request for a Zone Change from "R1A-B5," Single-family Residential and Agricultural (No Further Divisions Allowed) District and "X," Special Use District, to "R1A," Single-family Residential and Agricultural District. Located along Last Chance Alley and Bunker Hill Road, immediately north of the Amador City corporate limits (APN 008-230-040); also being the same property included in approved Tentative Parcel Map #2851, dividing 36.28 acres into four parcels of 5.66, 6.12, 6.57 and 17.93 acres.

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

- Mr. Lance Jagers, Representing Pheasant Hill Partners
- Mr. Gary Reinoehl, District V resident

Discussion ensued with the consensus of the Board being to continue this hearing until a date certain of May 22, 2018 at 10:30 a.m. to give the applicant the opportunity to retain a qualified professional to prepare a historical and cultural resource evaluation in compliance with General Plan Mitigation Measure 4.5-1b for discretionary projects."

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

MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to continue this public hearing to a time certain of May 22, 2018 at 10:30 a.m.

Planning Department: Discussion and possible action relative to a request from Logan Family Trust for a General Plan Amendment from A-G, Agricultural-General (40-Acre Density) to A-T, Agricultural-Transition (5-20 acre Density); Request for a Zone Change from "R1A-B5," Single-family Residential and Agricultural (No Further Divisions Allowed) District and "X," Special Use District, to "R1A," Single-family Residential and Agricultural District. Located along Fremont Mine Road, approximately one-quarter mile north of the Amador City corporate limits (APN 008-230-038), being the same property included in approved Tentative Parcel Map #2869 dividing 15.76 acres into three parcels of 5.09, 5.23, and 5.44 acres.

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

- Mr. Dave Logan, Representing Logan Family Revocable Trust

Discussion ensued with the consensus of the Board being to continue this hearing until a date certain of May 22, 2018 at 10:30 a.m. to give the applicant the opportunity to retain a qualified professional to prepare a historical and cultural resource evaluation in compliance with General Plan Mitigation Measure 4.5-1b for discretionary projects."

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

MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to continue this matter to a date and time certain of May 22, 2018 at 10:30 a.m.

General Services Administration: Discussion and possible action relative to an update regarding the Jail Expansion Project.

Mr. Jon Hopkins, General Services Director, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. The following individuals were invited to speak:

- Mr. Eric Fadness, Nacht and Lewis,
- Mr. Lance Durfee, Vanner Construction,

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 Crew and unanimously carried to:

- 1. Approve the updated Project Milestone Schedule and authorize the General Services Director to submit said schedule to BSCC.**
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2. **Approve and authorize the General Services Director and County Counsel to develop an amendment to Nacht & Lews's agreement for Emergency Vehicle Canopy services, updated Design Development cost estimate, Storm Drainage Modeling and Architectural & Engineering services cost increases.**
3. **Authorize the Chairman to execute said amendments.**

General Services Administration: Discussion and possible action relative to and update regarding projects and staffing.

Mr. Jon Hopkins, General Services Director, provided an update regarding projects and staffing which is outlined in the Board packet materials for today's date.

ACTION: None. Update only.

Amador Tuolumne Community Action Agency: Discussion and possible action relative a request to increase annual JPA Fees paid by Amador County from \$16,000 per year to \$40,000 per year beginning in FY 18/19 (Continued from March 13, 2018).

Mr. Raj, Ramob, A-TCAA Executive Director, addressed the Board and provided some clarification as requested by the Board on March 13, 2018. He summarized a brief report of Tuolumne vs. Amador County comparisons. The outline containing these comparisons is incorporated 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 Axe, seconded by Supervisor Crew and carried to increase annual JPA Fees paid by Amador County from \$16,000 per year to \$40,000 per year beginning in FY 18/19.

Ayes: Supervisors Axe, Crew and Morgan

Noes: Supervisors Forster and Oneto

Common Ground Senior Services: Presentation by Ms. Elizabeth Thompson, or her representative regarding the Home Delivered meals Program and to request the funding in the 2017-2018 budget be released. (Continued from March 13, 2018)

Ms. Kathi Toepel, Common Ground Senior Services, addressed the Board and summarized her report which outlined some comparisons regarding increases in services provided by Common Ground. The comparisons included data relative to services provided for the past two years for clients in Amador County, proposed units of services that the Agency will be supplying in the current fiscal year and funding sources that the Agency works with to assist in supporting programs.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to release the \$11,000 currently budgeted and increase the allocation to \$15,000.00 in FY 18-19.

Veteran's Services: Discussion and possible action relative to final Board approval to allow the Veteran's Service Officer to initiate a Veteran's Service outreach opportunity at the Veteran's Hall located on Buckhorn Ridge Road in Pioneer, on the 2nd and 4th Wednesday of each month for the next three consecutive months.

Mr. Terry Sanders, Veteran's Service Officer, addressed the Board and stated with Board approval today he will begin his outreach to up-country residents beginning April 11, 2018.

Ms. Rebecca Brown, District V resident, appreciates fact that an effort to begin outreach throughout the County is being initiated.

ACTION: Consensus of the Board to direct Mr. Terry Sanders, Veteran's Service Officer to begin outreach at the Veterans Hall on Buckhorn Ridge Road beginning April 11, 2018. Direction was also given to Mr. Sanders to return to the Board after the three month pilot program is complete to provide a report to the regarding its success.

Planning Department: Discussion and possible action relative to review of Proposed Williamson Act Contracts for two parcels of approximately 40.05 acres each, submitted by Raymond L. Zanini, Jr. & Helen M. Zanini, Trustees of the Raymond L. Jr. and Helen M. Zanini Family Trust dated February 14, 1996.

Mr. Chuck Beatty, Planning Director, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

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 Crew and unanimously carried to:

- 1. Find the application meets the requirements of County Code 19.24.036 D4**
- 2. Find that the proposal is consistent with Government Code Section 51257**
- 3. Adopt a Resolution authorizing the recording of California Land Conservation Act No. 434 and 435 and authorizing the Chair of the Board of Supervisors to sign the Resolution and contract.**

RESOLUTION NO. 18-031

Resolution requiring new California Land Conservation Act Contract #434 Pursuant to a Boundary Line Adjustment, and simultaneous removal of the same are from Contract #424. Raymond L. Jr. and Helen M. Zanini Family Trust Dated February 14, 1996.

RESOLUTION NO. 18-032

Resolution requiring New California land Conservation Act Contract #435 Pursuant to a Boundary Line Adjustment, and simultaneous removal of the same area from Contract #424. Raymond L. Jr. and Helen M. Zanini Family Trust Dated February 14, 1996.

Minutes: Review and possible approval of the March 13, 2018 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: The minutes from the March 13, 2018 Board of Supervisor Meeting were held over for approval on April 10, 2018.

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 1:00 p.m., the Board convened into closed session. The following matters were heard.**

Conference with County Counsel: Existing Litigation- {Government Code 54956.9(d)}

Foothill Conservancy v County of Amador; In the Superior Court of California, Amador County Case No. 16CV9876

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Forster and unanimously carried to approve the settlement agreement as presented.

Greg Bixby v County of Amador, Workers Compensation Claim 20162000471

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

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew to file a Petition for Cert. with the Supreme Court and if necessary seek an extension of time to file for preparation of the document.

Ayes: Supervisors Forster and Crew

Noes: Supervisors Axe and Morgan

Absent: Supervisor Oneto

****Motion failed for lack of majority vote****

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)}:

Claim of Tom Deal

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew and unanimously carried to deny the subject claim due to liabilities and damages being disputed.

Buena Vista Rancheria

ACTION: Update given.

One Case

ACTION: Direction given to staff.

Confidential Minutes: Review and approval of the February 27, 2018 Confidential Minutes

ACTION: The February 27, 2018 Confidential Minutes will be held over for approval on April 10, 2018.

REGULAR SESSION: At 2:00 p.m., the Board convened into regular session. Chairperson Morgan reported the above issues were reviewed in closed session:

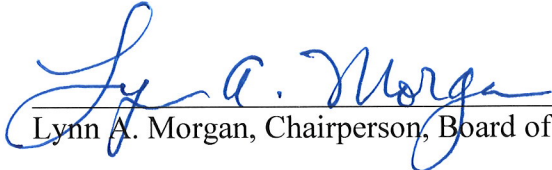
ADJOURNMENT: Until Tuesday, April 10, 2018, at 8:30 a.m.

March 27, 2018 Consent Minutes:

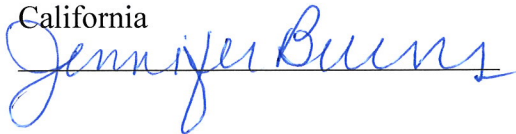
NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

- 8.a. General Services Administration: Approve Increase to library literacy budget
- 8.b. Board of Supervisors: Resolution Proclaiming April 2018 as Child Abuse Prevention Month in Amador County
Resolution #18-024
- 8.c. Human Resources: Resolution re: Salaries and Fringe Benefits for Management Employees. The management unit proposed modifications to their benefit package as follows:
 - 2% wage increase retroactive to be effective 10/1/2017
 - 1% wage increase effective 10/1/2018
 - Add Longevity in 2.5% increments for 10, 15 and 20 years
 - Add 5 days of Management/Administrative leave per year
 - Add deferred comp match of \$50 per pay period**Resolution #18-025**
- 8.d. Human Resources: Resolution re: Salaries and Fringe Benefits for Mid-Management Employees. The Mid-Management unit proposed modifications to their benefit package as follows:
 - 2% wage increase retroactive to be effective 10/1/2017
 - 1% wage increase effective 10/1/2018
 - Longevity in 2.5% increments for 10, 15 and 20 years
 - Add Administrative Leave of 5 days per year
 - Add a deferred comp match of \$50 per pay period**Resolution #18-026**
- 8.e. Human Resources: Resolution re: Salaries and Fringe Benefits for Confidential Employees. The Confidential unit proposed modifications to their benefit package as follows:
 - 2% wage increase retroactive to be effective 10/1/2017
 - 1% wage increase effective 10/1/2018
 - Add a deferred comp match of \$50 per pay period**Resolution #18-027**
- 8.f. Planning Department: Adopt Revised Fee Schedule
Resolution #18-028
- 8.g. Public Works: Resolution to approve CalTrans Master Agreement
Resolution #18-029
- 8.h. Public Works: Resolution authorizing Chair to sign CalTrans SRR Program Supplemental Agreement
Resolution #18-030
- 8.i. Public Works: Approve 5th Amendment to Consulting Services Agreement with Drake Haglan and Associates Inc. for the Four Bridges Project

- 8.j. Public Works: Approve Consulting Services Agreement with Holdrege & Kull for Construction Materials and Inspection for the Fiddletown Road Intersection Improvement Project.
- 8.k. General Services Administration: Approve to dispense with the Formal RFP Procedure for Fujii Engineering Services at the Landfill and authorize the Solid Waste/Air Pollution Director and County Counsel to negotiate final contract terms and conditions with Fujii Engineering in accordance with the draft agreement attached and Fujii Engineering's proposal labeled Attachment A dated March 18, 2018 not to exceed \$42,720.00 within the next year.
- 8.l. Planning Department: Approve the Reclamation Plan Amendment per County Code Section 7.36.180 for the Lincoln Mine (Sutter Gold Mining Company) pursuant to previous Board action approving changes in Construction and/or Location of Project Structures and Facilities.
- 8.m. Social Services Department: Authorization to Back-fill one Child Protective Services (CPS) Social Worker I/II/III Position to replace an employee who has resigned effective March 29, 2018. This is a Merit System position and their standards and guidelines must be followed. Certain positions of County employment within the Department of Social Services are required by State Law to be covered by the Merit System Personnel Standards of the State Personnel Board, which are set forth in Title 2, Division 5, of the California Code of Regulations.


Lynn A. Morgan, Chairperson, Board of Supervisors

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



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