

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, August 14, 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
Patrick Crew, District I
Richard M. Forster, District II
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 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 issue was reviewed in closed session:

Chairperson Morgan announced the following items were discussed in Closed Session.

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

ACTION: Update given.

Conference with County Counsel: Existing Litigation-Government Code 54956.9(d)
County of Amador v. Department of Interior, In the United States Supreme Court, No. 17-432

ACTION: Update given.

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

ACTION: Update given.

Confidential Minutes: Review and possible approval of the July 24, 2018 Confidential Minutes.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto seconded by Supervisor Crew and unanimously carried to approve the July 24, 2018 Confidential Minutes.

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.**

Amador County Museum: Ms. Judy Jebian, Amador County Museum Director, provided the Annual Report relative to the Museum.

Buena Vista Road Project: Mr. Jered Reinking, Public Works Director, addressed the Board and provided a brief update relative to the Buena Vista Road Project. Mr. Reinking stated it is his understanding that the paving of the first segment of roadway (between ACES and Jackson Valley Road) has occurred and the second segment (SR 88-ACES) will begin soon. He stated the project is on schedule and he anticipates completion by early September. Mr. Reinking also mentioned staff has posted ten ton weight limit signs on Martin Lane as a higher frequency of loaded trucks has been observed using that route and precautions need to be taken to protect that area of roadway.

Casino Project: Mr. Bill May, District II resident, addressed the Board and referred to an email that he circulated to the Board regarding requesting the Tribe pay for the damages to the roads that are clearly tied to the construction of the Casino. In addition, he encouraged Supervisors Morgan and Axe to visit the construction site to observe what is taking place.

Senate Bill 1: Mr. Gary Reinoehl, District V resident, addressed the Board and stated he has noticed lately while traveling around the County that there has been significant crack filling and digouts and repairs taking place. He stated he feels this is a direct result of SB1 and should be noted that the effects of the tax have provided such valuable return in a short amount of time.

Homeless Task Force: Mr. Ty Pulskamp, District I resident, stated he was under the impression that an item would be on today's agenda regarding a report relative to a status of outreach and projects of the Homeless Task Force since its inception. Supervisor Axe advised that a presentation is in the works and will be agendized for a future meeting date undetermined at this time.

Amador Fire Safe Council (AFSC): Mr. John Heissenbuttel, representing Amador Fire Safe Council, reported the application submitted to CalFire regarding the grant associated with the California Climate Initiative (CCI) was successful and the AFSC will receive approximately 1,000,000 dollars over the next 3.5 years and will be used to construct a ten mile fuel break beginning at Aqueduct and Highway 88 and continuing all the way through Moonlight Ridge to Surrey Junction. He thanked the Board for their letter of support in securing this very important grant that will make the fuel break possible. In addition, Mr. Heissenbuttel advised PG&E representatives will be in attendance at the next Amador Fire Safe Council Meeting to be held on August 15, 2018, and will provide information regarding their newly adopted policies and procedure regarding fire risk from power lines. He encouraged any Board members or other interested parties to attend

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.)

Chairperson Morgan announced the following item has been added as an Addendum to the agenda for today's date:

Amador Water Agency: Discussion and possible action relative to a request by the Amador Water Agency for a letter to PG&E relative to a water right dispute between the parties.

ACTION: Direction given pursuant to the following motion.

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

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)

Chairperson Morgan advised the following item has been added as an Addendum to the Consent Agenda for today's date.

Administration: Adoption of a resolution authorizing performance of services by the Clerk-Recorder-Registrar of Voters and consolidation of the Amador County Unified School District bond measure for the statewide general election on November 6, 2018

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

MOTION #1: It was moved by Supervisor Forster, seconded by Oneto and carried to approve as amended above.

REGULAR AGENDA

Amador Water Agency-ADDENDUM: Discussion and possible action relative to a request by the Amador Water Agency for a letter to PG&E relative to a water right dispute between the parties.

Mr. Rich Farrington, Amador Water Agency District III Director and UMRWA Board Member, addressed the Board and provided a brief overview of this issue and encouraged the Board to authorize the Chairperson to sign a letter to PG&E expressing significant concerns about the Pacific Gas and Electric Company's apparent refusal to cooperate with the Amador Water Agency in providing water supplies necessary to serve citizens of Amador County.

Mr. Gene Mancebo, Amador Water Agency General Manager, addressed the Board and explained the technical and complicated aspects of this matter and provided some history of the issue by stating PG&E staff and outside attorneys recently advised the Water Agency that PG&E is not willing to comply with a request to serve a small portion of the water supply to the citizens who live on the north shore of Lake Camanche unless the Water Agency agrees to comply with a number of onerous conditions. Providing this new service is necessary to ensure the residents of the area have access to a more reliable supply of high quality water. He continued by stating PG&E staff and outside attorneys demanded that the Water Agency pay PG&E for supplying water to this new in-County service, even though the Water Agency already paid for the sue of this supply in 1985 and even though PG&E could provide the requested new supply from the large amount of water the Water Agency has conserved in the past two decades with significant investments by existing customers. Mr. Mancebo stated the water agency is urging PG&E to meet and sit down to work out a plan to ensure that the Water Agency is afforded full access to

the water supplies it has acquired from PG&E and conserved through investment of citizens' money. Mr. Mancebo encouraged the Board to consider sending a letter to PG&E similar to the draft letter in the Board packet for today's date.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to authorize the Chairperson's signature on a letter to PG&E relative to a water right dispute between the parties.

Central Sierra Child Support: Presentation of a Resolution Proclaiming August 2018 as Child Support Awareness Month in Amador County.

ACTION: Presentation only.

Earth Day Amador: Discussion and possible action relative to a presentation by the Environmental Justice Committee of Foothills Rising regarding Earth Day Amador proposed to be held on April 27, 2019.

Ms. Emily Beals, Chair of Earth Day Amador Planning Committee, addressed the Board and explained the proposed concept of Earth Day Amador 2019. She stated the intent of the project is to:

- Showcase those organizations and businesses who have developed earth-sustaining programs, philosophies or products.
- Offer participants opportunities to increase their knowledge of how to restore our planet's health and plan for a liveable future through booth displays and presentations focusing on our own foothills communities.
- Build bridges of understanding, seek common ground between the divergent points of a view in our community, acknowledging not only the interconnectedness of our natural systems but the interconnectedness of our people as we work together for the common purpose of building a liveable future.

Ms. Beals stated it is the hope of the Committee to partner with the County of Amador, especially with agencies that deal with environmental issues and can attend the event and share sustainable products and programs they can offer. In addition, she stated the Committee is seeking financial support by way of Supervisors discretionary fund donations or other money sources. She noted at this time Earth Day will be supported only by vendor fees and public donations.

Lengthy discussion ensued with Supervisors Morgan and Axe offering support of this project.

Supervisor Forster pointed out that it is not necessary for the Planning Committee to have the "official" support of the County to move forward. Supervisor Crew noted that he feels the impetus of this project should come from the City of Jackson as the event will take place within

the City limits. Supervisor Oneto expressed concern relative to the concept and the mission statement and other information found on the Foothills Risings website.

ACTION: None. Presentation only.

Temporary Road Closure: Discussion and possible action relative to a request from the California Department of Corrections for a temporary road closure of Dave Brubeck Road (PM 0.0 to 2.21) beginning the week of September 4, 2018 through September 18, 2018, to facilitate required roadway repair work resulting from construction of a sewer pipeline installed by CDCR over the summer.

Mr. Bob Sleppy, California Department of Corrections and Rehabilitation, addressed the Board and outlined the proposed project by providing a Power Point presentation which is incorporated into these minutes as though set forth in full.

Discussion ensued with Supervisor Forster expressing concern and relaying frustration from his constituents regarding the closure and lack of work being done in the last month. He stated he feels the CDCR has neglected their responsibility of having a contract in place with a contractor thereby delaying the project further. Supervisor Forster does not agree with closing the road entirely and would like CDCR to leave one lane open with traffic control until the project is complete.

Mr. Sleppy responded by stating CDCR does not feel leaving one lane open is feasible because the road is too narrow and project completion would be further delayed.

Mr. Jered Reinking, Public Works Director, addressed the Board and stated while he agrees this project has taken longer than necessary to complete, he does support Mr. Sleppy's recommendation of full road closure to complete the work timely, more efficiently and in the end delivering a better end product. He stated staff can work with CDCR and encourage them to work as fast as they can to get this work completed. Mr. Reinking also advised a County inspector will be onsite intermittently during the duration of the project.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Oneto and unanimously carried to approve temporary road closure of Dave Brubeck Road from PM 0.0 to 2.21 beginning the week of September 4, 2018 through September 18, 2018 to facilitate required roadway repair work resulting from construction of a sewer pipeline installed by CDCR; and require the contractor to work twelve hour days seven days a week until the project is complete; and direct County staff to inspect the southbound lane of the project area before and after the work is completed to ensure there are no significant or concerning issues.

Ayes: Supervisors Axe, Oneto, Crew and Morgan

Noes: Supervisor Forster

General Services Administration: Discussion and possible action relative to Airport Budget Shortfall for State Grant Matching Funds.

Mr. Jon Hopkins, General Services Director, reviewed the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary he pointed out that on September 26, 2017, the County approved two resolutions for the California Department of Transportation, Aeronautics Division, for State matching grants. These grant applications were for FAA Grant Projects. He continued by stating during the initial development of the Airport budget for FY 2018/19 Airport staff was able to budget for these two (2) projects. Because these two projects carried over from FY 2017/18 to FY 2018/19, the budget line items needed to be updated reflecting the current balances for these projects. During the update, it was discovered that the fund balance originally anticipated was no longer available. Mr. Hopkins continued by stating not receiving additional funding will not allow the Airport to pay \$15,000.00 in contractual expenses. One alternative is to provide the Airport with a short term loan of \$15,000.00 to balance the Airport budget anticipating satisfying this loan in the 19/20 fiscal year utilizing fuel sales, rents and concessions.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew to provide the Airport with a short term loan of \$15,000.00 to balance the Airport budget anticipating satisfying this loan in the 19/20 fiscal year utilizing fuel sales, rents and concessions.

Update on ACTC System Safety Analysis Report: Discussion and possible action relative to the subject report.

Mr. Jered Reinking, Public Works Director, addressed the Board and provided an overview of this matter by stating on August 2, 2018, the Amador County Transportation Commission (ACTC) discussed the completion status of their System Safety Analysis Report (SSAR), prepared by an ACTC consultant, and recommendations for referral to Amador County, Cities, and Caltrans for potential safety related enhancements to roads within Amador County. A prior referral for improvement to Ridge Road and Running gold Road intersection has already been discussed at the July 10, 2018 board of Supervisors meeting where direction was given to staff to prepare a Highway Safety Improvement Program (HSIP) grant application to assist with funding the improvements. He continued by stating at the ACTC meeting on August 2, 2018, several additional referrals were discussed, and are included in the staff report incorporated into the Board packet for today's date. Mr. Reinking stated the additional referrals could be pursued as additional HSIP applications due August 31, 2018. The County would be required, at a minimum, to provide "matching" funds for any initial grant awarded to the County, plus fund any additional amounts above the awarded grant at 100%

Discussion ensued with the following action being taken.

ACTION: Direction given to staff to keep the additional referrals in mind going forward when considering HSIP applications, but not pursue them at this time as the matching fund criteria is not currently cost effective.

Public Works Agency: Discussion and possible action relative to the purchase of an Asphalt Grinder (a.k.a. "Zipper").

Mr. Jered Reinking, Public Works Director, reviewed 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 Forster, seconded by Supervisor Crew and unanimously carried to:

1. Declare the 2006 Zipper Model AZ-480HD as surplus property and;
2. Dependent upon whichever is greater, authorize the sale of surplus property in accordance with Government Code Section 25504 at public auction utilizing Public Surplus or accept the manufacturers trade-in offer of \$10,000.00 and;
3. Authorize the Purchasing Agent to issue a Purchase Order for anew Asphalt Zipper 480i-200E Reclaimer/Stabilizer in an amount no to exceed \$190,464.30.

Minutes: Review and possible approval of the July 24, 2018 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the July 24, 20178 Board of Supervisors Meeting Minutes with amendments.

ADJOURNMENT: Until Tuesday, August 28, 2018, at 8:30 a.m.

August 14, 2018 Consent Minutes:

- 6.a. Board of Supervisors: Adopted Resolution declaring a Local State of Emergency in Amador County due to Pervasive Tree Mortality. (Original resolution adopted on February 23, 2016 and updated on September 13, 2016, February 28, 2017 and January 9, 2018.)
Resolution #18-077
- 6.b. District Attorney: Adopted Auto Fraud Grant Resolution for the California Department of Insurance, Automobile Insurance Fraud Program for FY 2018-2019
Resolution #18-078
- 6.c. Human Resources: Adopted Resolution regarding Salaries and Fringe Benefits for Management Employees. The Management Unit is proposing an increase to the Community Development Director of 5% retroactive to 7/24/2018.
Resolution #18-079
- 6.d. Public Works: Adopted Resolution authorizing the Chair to sign Regional Surface Transportation Program Claim Form Requesting Amador County Apportionment of \$365,261
Resolution #18-080
- 6.e. Auditor: Approved MGT of America, Inc. - Professional Services Agreement for SB90 State Mandated Claims & Cost Allocation Plan Services
- 6.f. Conservator's Office: Approved Second Amendment to Agreement between Amador County Public Conservator/Guardian/Administrator and Panoramic Software, Inc. to provide support and maintenance on an Integrated Case Management and Fiduciary Accounting System, for three fiscal years beginning July 1, 2018 and continuing through June 30, 2021.
- 6.g. General Services Administration: Approved 3rd Amendment to Cheryl Clark Grazing Lease Agreement for an additional five (5) years.
- 6.h. General Services Administration: Approved 2nd Amendment to J.W. Dell'Orto and/or Anne Dell'Orto Grazing Lease Agreement for an additional five (5) years.
- 6.i. Social Services: Approved Resolution and CDSS Services Contract Agreement 18-5003 with California Civil Rights Laws Certification regarding the coordination of adoption services
Resolution #18-081
- 6.j. Commission on Aging: Approved Appointment of Chris Kalton, Member-at-Large, and Julie Traxler, District 2 Representative, for terms of three years.
- 6.k. Administration: Waived building permit fees for various building permits being obtained by the Lockwood Fire Protection District on County property.
- 6.l. General Services Administration: Adopted Resolution accepting the work of Harold Thompson Inc. for Bid 18-01 for the Probation Office Carpet Replacement Project, and authorized the GSA Director to sign and record a Notice of Completion and release retention and final payment to the contractor and authorized the Board Chair to sign the Agreement and Release of Claims.
Resolution #18-082
- 6.m. General Services Administration: Adopted Resolution accepting the work of Laguna Gold Mortgage, Inc. DBA LGM Construction for Bid 18-04 for the District Attorney Elevator Tower Replacement Project and authorized the GSA Director to sign and record a Notice of Completion and release retention and final payment to the contractor and authorize the Board Chair to sign the Agreement and Release of Claims.
Resolution #18-083
- 6.n. General Services Administration: Waived County Policy 4-400 Insurance Requirements for Contracts and Agreements for Election Services Contract.

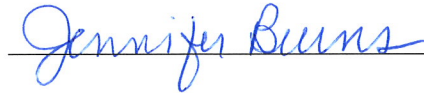
- 6.o. Human Resources: Approved the 2019 Benefit Plan Year Renewal per the Health Benefit Advisory Committee (HIAC) recommendation. The Committee majority consensus was for the buy-up to \$3000 per person per calendar year deductible/ \$3000 orthodontia (lifetime max).
- 6.p. Social Services: Approved Reclassification of a full time employee (FTE) CPS Social Worker II to Social Worker III to be effective September 12, 2018.
This is a Merit System position and their standards and guidelines must be followed.
- 6.q. Social Services: Approved and authorized to Hire One Administrative Assistant I (Office Assistant I in Merit System) for One New, Extra Help/Temporary Position in Child Protective Services (CPS) / Adult Protective Services (APS) / In-Home Supportive Services (IHSS). No General Fund Dollars will be used for this position; it will be funded by available funds due to not immediately back-filling other positions.
This is a Merit System position and their standards and guidelines must be followed.

Consent Addendum:

- 6.r. Adopted resolution authorizing the performance of services by the Clerk-Recorder-Registrar of Voters and consolidation of the Amador County Unified School District bond measure for the statewide general election on November 6, 2018.
Resolution #18-084


Lynn A. Morgan, Chairperson, Board of Supervisors

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



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