

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, November 10, 2020
TIME: 9:00 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Patrick Crew, District I-Chairman
Frank U. Axe, District IV-Vice-Chairman
Richard M. Forster, District II
Jeff Brown, District III
Brian Oneto, 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.

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 Crew advised the following items were heard in Closed Session.**

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

Buena Vista Rancheria of Me-Wuk Indians v. Amador County, et al.
U.S. District Court, Eastern District of California Case No. 2:20-CV-01383-MCE-AC

ACTION: Update given.

Conference with Labor Negotiators: County Negotiators: Greg Gillott, County Counsel; Chuck Iley, County Administrative Officer, Lisa Gaebe, Human Resources Director and Gregory Ramirez, IEDA

ACTION: Update given.

Conference with County Counsel: Anticipated Litigation-{Government Code 54956.9(d)(2)}

Claim of Winfred E. Wollen #20-09

ACTION: Claim denied pursuant to the following motion.

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

Confidential Minutes: Review and possible approval of the October 13, 2020 Confidential Minutes.

ACTION: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the October 27, 2020 Confidential Minutes.

PLEDGE OF ALLEGIANCE: Chairman Crew 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.**

Interfaith Food Bank: Ms. Beth Stanton, Interfaith Food Bank Executive Director, addressed the Board and provided an update as to accomplishments of the Interfaith Food Bank in the last year. Ms. Stanton stated the Food Bank served 2001 families to date and of those families 1,133 were in the senior population and 1,392 were children. She continued by noting that due to COVID-19 the number of volunteers she has available have significantly diminished. Typically seven to ten volunteers would be assisting each day and now she only has one or two. Ms. Stanton commended her staff and their commitment to the Food Bank during the current situation. Ms. Stanton also updated the Board on the showers that were installed at the Food Bank last April. She understands there is some discontent as the showers have not been made available to individuals or families due to COVID-19 concerns. She pointed out that the showers are located inside the building and individuals would have to pass through areas where staff and volunteers are working to assemble and deliver food in order to access them. In an effort to keep staff safe and minimize the risk of transmission of COVID-19 the showers will not be made available. Ms. Stanton stated she has received correspondence from the Environmental Health Department that substantiates her decision to keep the showers closed at this time.

Retired County Auditor: Mr. John Kirkpatrick, Retired County Auditor, took this time to inform the Board that he took Office as Amador County Auditor on December 1, 1970. He also stated he served as County Clerk and Registrar of Voters, Clerk of the Board of Supervisors and Clerk of Amador County Superior Court as well as LAFCO Officer and Jury Commissioner.

Veteran's Day: Supervisor Brown took this time to express his gratitude to all Veterans as we approach Veteran's Day. He encouraged those present and listening remotely to reach out to Veterans and thank them for their service to our Country.

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

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Brown, and unanimously carried to approve the agenda as amended.

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 Axe, seconded by Supervisor Oneto and unanimously carried to approve the Consent Agenda as amended.

REGULAR AGENDA

COVID-19 Update: Update by the Amador County Health Officer, Dr. Rita Kerr on the COVID-19 situation and the progress on the road to reopening Amador County.

Dr. Rita Kerr, Amador County Public Health Officer, joined the meeting via ZOOM and took this time to provide an update of the current status of the COVID-19 situation in Amador County. It should be noted that updates and current statistics can be found at www.amadorgov.org/services/covid-19.

ACTION: Presentation only.

ACES 2020 Refuse Rate Index Adjustment: Discussion and possible action relative to the 2020 Refuse Rate Index Adjustment for Rate Year 13.

Mr. Jeff Gardner, Director of Solid Waste, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, the Board of Supervisors approved the use of the Rate Adjustment Methodology (RAM) for the analysis and calculation of annual refuse rate adjustments within the County's franchise waste hauler system. Mr. Gardner stated the County negotiated a new 15 year franchise agreement with ACES Waste Services, Inc. (ACES) that was approved by the Board in June of 2020. The rate adjustment mechanism in the agreement involves annual adjustments to the rates using the established Refuse Rate Index. Both the County and ACES also have the opinion of requesting a Detailed Rate Review following the procedures in the Agreement as a frequency of no more than once every three calendar years. The new Agreement's rate adjustment process is similar to the County's prior Rate Adjustment Methodology (RAM). There are a number of changes including simplifying the indexed rate review process, changing the reference consumer price index, and reducing ACES's target profit level which applies to the Detailed Rate Review process. Mr. Gardner went on to outline the 2020 Index Adjustment prepared by Mr. William Schoen of R3 Consulting Group Inc. and lists the overall recommended rate adjustments for each Franchise Area (Rate Zone) compared to the rate adjustment request submitted by ACES. Mr. Gardner stated before the Board may act on the proposed rate increase, the Board must comply with the requirements of Proposition 218 as set forth in Article 13D, Section 6, of the California Constitution. Section 6 requires the Board to conduct a public hearing upon the proposed rate increase not less than 45 days after written notice of the increase has been mailed to the property owners subject to the rate increase.

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 Forster and unanimously carried to approve the 2020 Refuse Rate Index Adjustment for Rate Year 13, and set the Prop 218 Public Hearing for Tuesday, January 26, 2021 at 10:30 a.m.

California's Whole Person Care (WPC): Discussion and possible action relative to subject program.

Ms. Melissa Cranfill, Director, Amador County Behavioral Health Department, addressed the Board and summarized the memo relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, the Board of Supervisors approved acceptance of funding from the State Department of Health Care Services in the amount of \$431,035.49 on January 14, 2020. The funds were to be expended within five years (June 30,2025) to implement the Whole Person Care Program in Amador County. Ms. Cranfill went on to state staff is recommending the funds be returned to the State based on several factors. The factors are, but not limited to, as follows:

- Sustainability of WPC in the community and concerns that continuing the program beyond the State funding could require the need for general fund support.
- Significant delay in the implementation of the WPC project. Although funds were received in April 2020, no action has been taken by the Count to begin the RFP process. One reason for the delay appears to be the impacts of the pandemic, including the fact that changes have been made in how services are now being provided.
- The pandemic continues to impact Department services and staffing, limit capacity to take on a project of this magnitude.

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 Oneto and unanimously carried to return the funds including interest to the State of California.

General Services Administration: Discussion and possible action relative to California Public Utilities Commission (CPUC) Rule 20A-PG&E. Credits.

Mr. Jon Hopkins, General Services Director, addressed the Board and summarized the staff memorandum relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, he stated this item is a follow up with the Board regarding the efforts made regarding selling the County's Rule 20A-PG.&E. Credits. He continued by stating staff has been acquiring contact information for all counties and cities listed in P.G.&E.'s list of credit

holding public agencies: 46 counties and 216 cities. Offers of interest were sent as soon as valid contact information was obtained. Mr. Hopkins referred to an email from Lisa Goldman, City Manager for the City of Burlingame offering .30/dollar which would result in approximately 1.1 million pending the City still needs credits.

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 Axe and unanimously carried to give Mr. Jon Hopkins, General Services Director, Mr. Chuck Iley, County Administrative Officer and the Chairman and Vice-Chairman the authority to move forward with securing a final and best offer from a certain entity for the purchase of the PG&E credits by the end of November 2020 and direct Mr. Greg Gillott, County Counsel, to draft a memorandum detailing the agreement with the chosen entity.

2019/2020 Grand Jury Report: Discussion and possible action relative to the appointment of an ad-hoc committee to develop a response to the 2019/2020 Grand Jury Report.

Chairman Crew opened the discussion to the public at this time. The following individuals wished to speak relative to this matter.

Ms. Cindy Grandbois, District I resident
Mr. Don Dowell, District V resident (via ZOOM)

Discussion ensued with the following action being taken.

ACTION: Concurrence of the Board to authorize the Chairman and Vice-Chairman to develop a response to the 2019/2020 Grand Jury Report and bring back to the Board for approval at a future meeting.

PUBLIC HEARING **10:30 A.M.****

Planning Department: Discussion and possible action relative to reconsideration of an Ordinance amending Title 19 of the Amador County Code by repealing Section 19.48.060, "Private Stables" and replacing it with Section 19.48.060, "Livestock Management on Parcels Less than five acres in size.

Discussion ensued with the following actions being taken.

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

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Brown and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried to not move forward with an Ordinance amending Title 19 of the Amador county Code by repealing Section 19.48.060, "Private Stables" and replacing it with Section 19.48.060, "Livestock Management on parcels less than five acres in size.

Ayes: Supervisors Oneto, Forster and Crew

Noes: Supervisors Axe and Brown

KVGC Radio: Discussion and possible action relative to consideration of a contribution to KVGC Radio.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and stated KVGC recently inquired as to the amount of franchise fees received from Comcast by the County. He advised the County receives approximately \$2,500.00 per year. KVGC is seeking approximately \$5,760.00 based on a formula of \$60.00 per hour multiplied by four (4) hours (average length of Board meetings) and factoring in twenty-four (24) meetings per year. Mr. Iley pointed out that the balance left after franchise fees are applied would be paid out of the General Fund if the Board chooses to move forward with this request.

Discussion ensued with the Board recognizing the valuable service KVGC provides to the Community and commended them for being a reliable source of information for many residents.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to contribute a one-time allocation of \$5,760 to cover costs of administration and facilitation of meetings and other broadcasts on behalf of the County by KVGC.

Administrative Agency: Discussion and possible action relative to approval of the Board of Supervisors meeting schedule for calendar year 2021 and possible changes to the Board of Supervisors meeting schedule for December 2020.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Brown, seconded by Supervisor Axe, and carried to approve the Board of Supervisors meeting schedule for calendar year 2021 as presented and amending the December 2020 schedule by eliminating the meetings scheduled for December 8th and 22nd and replacing with one meeting scheduled for December 15, 2020.

Ayes: Supervisors Brown, Axe, Oneto and Crew

Noes: Supervisor Forster

Minutes: Discussion and possible action relative to approval of the October 27, 2020 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 October 27, 2020 Board of Supervisors Meeting Minutes with minor corrections.

ADJOURNMENT: Until Tuesday, November 24, 2020 at 8:30 a.m.

PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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

November 10, 2020 CONSENT MINUTES

7.a. Behavioral Health: DHCS Multi-year Drug Medi-Cal Treatment Program Substance Use Disorder Services Fiscal Years 20-21, 21-22, 22-23

ACTION: Approved-Resolution No. 20-146

7.b. Assessor: Secured Roll Correction - approval of roll correction values being decrease 50% or more. Apn #023-570-009-000 Hickman; Apn #033-770-006-000 Wenger & Apn #033-810-012-000 Stanger.

ACTION: Approved

7.c. Surveying Department - Jean L. McBride as Trustee of the Jean L. McBride Family Trust dated March 6, 2018 - Certificates of Compliance. The subject agenda item is a request for three (3) compliance certificates. The property lies south of Stony Creek Road and within the West 1/2 of Section 29, T. 6 N., R. 11 East, in Jackson. Assessor Parcel No. 044-180-030.

ACTION: Approved-Resolution No. 20-147

7.d. Emergency Medical Care Committee - Approval of the Appointments of David Beffa, M.D., FACEP, FACS, to fill the seat of Emergency Room Physician, Jessica Sharver as the Emergency Department Manager Seat, and Lindsey Clark as the County Health Department Seat.

ACTION: Approved

7.e. Treasurer/Tax Collector - Professional Services Agreement with Bid4Assets

ACTION: Approved

7.f. Public Health - Renewal of the Annual Children's Medical Services (CMS) Plan

ACTION: Approved

7.g. Building Department-Agreement to Limit Use of Agricultural Structure for AG01084-MITCHELL

ACTION: Approved-Resolution No. 20-148

7.h. Waste Management - 2020 Western Area Recycling Facility, Pine Grove Transfer Station and Additional Requested Services Rate Adjustment

ACTION: Approved

7.i. Appointment of Member to the Juvenile Justice Commission

ACTION: Approved

7.j. Public Conservator/Guardian/Administrator Office Reorganization Recommendation

ACTION: Approved

7.k. Assessor: Secured Roll Correction - Approval of roll correction values being decreased over \$150,000 or with values being decrease 50% or more. APN #14-020-013-000 KOERNER ROMBAUER INVESTMENTS LLC & APN #033-790-019-000 SERPA RICHARD L & SUSAN E FAMILY TRUST

ACTION: Approved

7.l. General Services Administration - Jackson Library parcel APN: 020-070-041-000 Water Line Relocation agreement with the City of Jackson

ACTION: Approved

7.m. Social Services: Calworks Housing Support Program Budget Transfer Request and Budget Increase Request. Additional funds from the State have been received and need to be allocated to be included in the budget

ACTION: Approved

7.n. Social Services Director's Request to fill Eligibility Worker I/II Vacancies

ACTION: Approved