

Amador County Board of Supervisors
ACTION MINUTES

REGULAR MEETING

DATE: Tuesday, April 11, 2023
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:

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

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Heather Peek, Deputy 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.**

CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6.

County Negotiators: Glenn Spitzer, Deputy County Counsel, Greg Ramirez, IEDA, Lisa Gaebe, Human Resources Director Employee Organization: SEIU Local 2015
Suggested Action: Discussion and possible action.

ACTION: Nothing to report.

CONFERENCE WITH COUNTY COUNSEL: EXISTING LITIGATION-{Government Code 54956.9(d)

County of Amador v. Kathleen Allison (CDCR/Mule Creek SP)
U.S. District Court, Eastern District of California, Case No. 2:20-cv-02482-WBS-AC.
Suggested Action: Discussion and possible action.

ACTION: Direction given to staff.

County of Amador v. Giannini-Lee
Amador County Superior Court, Case No. 12-CVC-12218
Suggested Action: Discussion and possible action.

ACTION: Update given.

Confidential Minutes: Review and possible approval of the March 28, 2023 Confidential Minutes.

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 March 28, 2023 Confidential Minutes with minor edits.

PLEDGE OF ALLEGIANCE: Chairman Brown 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**.

The following individuals wished to speak:

- Mr. Bill May, District II resident
- Ms. Lois McDonald, District I
- Ms. Michelle Gallaher, Amador County Code Enforcement

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 Brown advised the following item (4.c.) would be pulled from today's agenda:

Amendment of Amador County Code Chapter 2.86 regarding the County General Assistance Program

ACTION: Direction given pursuant to the following motion.

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

CONSENT AGENDA: 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)

ACTION: Direction given pursuant to the following motion.

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

REGULAR AGENDA

Administrative Agency: Discussion and possible action relative to the allocation of funds for FY 23/24 relative to the Amador County Chamber of Commerce and the Amador Council of Tourism. Per direction last year, the Chamber amount for 23/24 currently sits at \$40,000. ACT is budgeted for \$101,500. Both organizations are budgeted for the amounts that they received in 21/22.

Dave Horner, Amador Council of Tourism Executive Director, along with Matt Toma, President and Brad Bernard, Executive Director, Amador Chamber of Commerce, addressed the Board and provided an update on their projects.

Lengthy discussion ensued and the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Forster and carried unanimously, to allocate \$80,000 to the Chamber of Commerce and \$101,500 to the Amador Council of Tourism.

Planning Department: Final determination on the Board Chair's approval of temporary waivers to allow Jackson Valley Quarry to operate outside their authorized hours/days of operation during an emergency as allowed by the quarry's Use Permit Conditions of Approval. The additional hours are during the weekends starting April 1 through April 15, 2023, with hours of 6:00 am to 10:00 pm.

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. In summary, Mr. Beatty stated that the CA Department of Water Resources submitted a request to George Reed, Inc., to allow Jackson Valley Quarry to remain open outside of normal operating hours during the weekends starting April 1 through April 15, 2023 from 6:00 a.m. to 10:00 p.m. for emergency repairs to San Joaquin Levees.

The following individuals wished to speak:

- Mr. Bill May, District II resident

Discussion ensued and the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried unanimously, to approve the Board Chair's temporary waiver to allow Jackson Valley Quarry to operate outside of their approved days and hours of operation in an emergency situation by operating during the period of April 1 through April 15, 2023 with hours of 6:00 am to 10:00 pm.

General Services Administration: ITB 23-03 Amador County Sheriff Roof Replacement

Mr. Jon Hopkins, General Services 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. In summary, Mr. Hopkins provided an overview of the project which would need to be completed prior to the Jail Expansion project.

Discussion ensued and the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew and carried unanimously, to approve the General Specifications and authorize staff to let this work out to bid.

Minutes: Review and possible approval of the March 28, 2023 Board of Supervisors Meeting Minutes with minor edits.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Forster and carried unanimously, to approve the March 28, 2023 Board of Supervisors Meeting Minutes.

PUBLIC HEARING 10:30 A.M.

Planning Department: Planning Department – Consideration of the Planning Commission's recommendation to approve Zoning Ordinance Amendment (ZOA-22;12-3) regarding a proposed amendment to County Code Chapter 19.48.140 to establish regulations for detached room units to be used as overnight lodging for wineries.

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. In summary, Mr. Beatty noted the Board of Supervisors adopted a Resolution of Intention in November, 2022, directing staff and the Planning Commission to prepare an ordinance that would allow "Detached Room Units" to be permitted in a manner similar to traditional Bed & Breakfast Inns. The proposed ordinance amendment would allow Detached Room Units as an alternative to a single-family dwelling being used as a bed and breakfast inn.

Discussion ensued with the following action being taken.

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

MOTION #1: It was moved by Supervisor Forster, 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 Axe, seconded by Supervisor Forster and unanimously carried, to approve the recommendation for modifying the county code and approving the amendment with the findings listed below to support these actions.

1. The adoption of amended Chapter 19.48.140 is Categorically Exempt from the California Environmental Quality Act per Sections 15061(b)(3), 15307, and 15308 of the CEQA Guidelines.
2. Projects under Section 15061(b)(3) are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 15307 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

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3. Following the Board of Supervisors adoption of the proposed ordinance amendment, a Notice of Exemption will be filed with the County Recorder

Planning Department: Consideration of the Planning Commission's recommendation to approve a Variance (V-23;2-1) from the rear and side yard setback requirement, to allow construction of a new metal building. The request is for a reduction from the required rear setback of 15' to 2' and the required side setback of 5' to 2' for APN: 033-520-017.

Mr. Ruslan Bratan, Planner, 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. In summary, Mr. Bratan stated the applicant requested a variance, which requires a fifteen-foot rear setback and a five-foot side setback, to allow for the construction of a 432 square foot detached metal building within two feet of the rear and side property lines. Mr. Bratan explained that due to the location of the existing dwelling, septic system, and the size of the lot, placing the proposed structure in the farthest rear corner of the lot ensures there is adequate space from the septic system.

- The following individual wished to speak:

Ms. Carly Gonzales, applicant

Discussion ensued with the following action being taken.

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

MOTION #1: It was moved by Supervisor Axe, seconded by Supervisor Oneto 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 Crew and unanimously carried, to adopt a resolution approving the requested variance and adopt the conditions and findings listed below to support these actions.

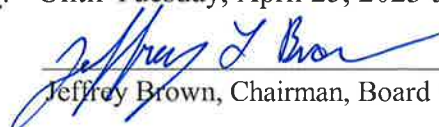
Conditions:

1. All necessary building permits shall be obtained from the Building Department for construction of the proposed structure;
2. A minimum 2 feet from the rear and side property lines shall be maintained;
3. The project shall be substantially the same as that which has been submitted and approved (see attached plot plan);
4. If the variance has not been used within one year after a date of granting thereof, then without further action by the Planning Commission or Board of Supervisors, the variance granted shall be null and void.

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; and
2. Due to the location of the existing dwelling, septic system, and the size of the lot, the strict application of the building setbacks 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.

ADJOURNMENT: Until Tuesday, April 25, 2023 at 8:30 a.m.



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:



HEATHER PEEK, Deputy Clerk of the
Board of Supervisors, Amador County,
California

April 11, 2023 CONSENT MINUTES

6.a. Assessor Roll Corrections - approval of roll correction values being decreased over \$150,000

ACTION: Approved

6.b. General Services Administration: ITB 22-13 Amador County Sheriff Dispatch Remodel

ACTION: Approved

6.c. BUILDING DEPARTMENT - Building Department-Limited Density Owner-Built Rural Dwelling / LD222005 - DOVER

ACTION: Approved-Resolution No. 23-045

6.d. Administrative Agency: Declaring the Month of April as Sexual Assault Awareness and Prevention in Amador County.

ACTION: Approved-Resolution No. 23-046

6.e. Building Department: Agreement to Limit Use of Agricultural Structure for AG233525

ACTION: Approved-Resolution No. 23-047

6.f. Building Department-Limited Density Owner-Built Rural Dwelling / LD221882 - GLLMAN

ACTION: Approved-Resolution No. 23-048

6.g. Budget transfer from Contingencies to Facilities to cover FY 22/23 payment for the solar O&M agreement with SitelogIQ. The Operations and Maintenance portion of the new solar installation was not included in the 22/23 budget.

ACTION: Approved

6.h. Code Enforcement: Approval of an agreement between Amador County Code Enforcement and San Joaquin County Office of Education (DBA-Greater Valley Conservation Corps).

ACTION: Approved

6.i. Public Health Approval of Agreement #22-11033 with California Immunization Program

ACTION: Approved

6.j. General Services Administration: Dispense with the bidding procedures and; approve purchase of unbudgeted fixed asset for the Sheriff's Department.

ACTION: Approved

6.k. At the request of the Sheriff, the pay rate and range for the Dispatcher-Lead and Dispatcher-Supervising has been increased 5% to incentivize applicants and be more competitive with other agencies. Funding will come from budget allocations already made and savings from vacancies.

ACTION: Approved

6.l. Change in title, job description, and pay range from Power Equipment Mechanic III to Lead Power Equipment Mechanic and the pay range/pay rate be increased 5% above the Power Equipment Mechanic II- Fabricator.

Suggested Action: Approve

ACTION: Approved

6.m.

Updated Consolidated Salary Schedule due to pay range and pay rate increases to be in compliance with the California Code of Regulations Section 570.5.

ACTION: Approved