

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, March 12, 2024
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:

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

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Heather Peek, Deputy Clerk of the Board

Absent: Richard M. Forster, District II

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 REAL PROPERTY NEGOTIATORS: County Negotiators: Charles T. Iley, County Administrative Officer; Jon Hopkins, General Services Director

General Services Administration: Terms and Conditions to Consider Accepting Donation of Property

Suggested Action: Discussion and possible action.

ACTION: Direction given to staff.

COUNTY NEGOTIATORS: Chuck Iley & Jon Hopkins

PROPERTY: APN 031-040-015-000 & 023-070-025-000 (27 acres of the 129.13 acres known as Pioneer Park)

NEGOTIATING PARTIES: US Department of the Interior Bureau of Land Management (BLM)

UNDER NEGOTIATION: Terms and Conditions for lease renewal and potential ownership

Suggested Action: Discussion and Possible action.

ACTION: Direction given to staff.

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

County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Greg Ramirez, IEDA and Lisa Gaebe, Human Resources Director

Employee Organization: All Units

Suggested Action: Discussion and possible action.

ACTION: Nothing to report.

CONFERENCE WITH COUNTY COUNSEL: ANTICIPATED LITIGATION -
{Government Code 54956.9(d) (2)}

One Case,

Suggested Action: Discussion and possible action.

ACTION: Direction given to staff.

Confidential Minutes: Review and possible approval of the February 20, 2024 Confidential Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Brown, seconded by Supervisor Axe and carried 4-0-1, to approve the February 20, 2024 Confidential Minutes.

PLEDGE OF ALLEGIANCE: Chairman Oneto 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:

- Ms. Lois McDonald, District I resident
- Mr. Oral Custer, District II resident
- Mr. Chris Strong, District II resident
- Mr. Butch Cranford, District V resident

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 Crew, seconded by Supervisor Brown and carried 4-0-1, to approve the agenda as presented.

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).

Chairman Oneto advised the following items have been added to the Consent Agenda for today's date:

Sheriff's Office: Approval of Standard Agreement 24-78000-00 between the Amador County Sheriff's Office and the Department of State Hospitals. Effective July 1, 2024-June 30, 2029.
Suggested Action: Approval

Law Library Committee: Approval of the re-appointment of the following persons to the subject Committee through December 31, 2024.

Grace Pak

Kori Tearpak

John Allen

John C. Fowler

Suggested Action: Approve

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and carried 4-0-1, to approve the consent agenda as amended.

REGULAR AGENDA

Administrative Agency: Presentation of a Proclamation Recognizing the Month of March as Red Cross Month.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and carried 4-0-1, to adopt the resolution proclaiming the month of March as Red Cross month.

Administrative Agency: Update on Tree Mortality mitigation activities by Tad Mason, TSS Consultants, Dr. Richard Harris, and Ed Struffenegger.

Dr. Richard Harris, representing TSS Consultants, provided an informative slide show updating current and upcoming mitigation activities. The presentation is hereby incorporated into these minutes as though set forth in full.

ACTION: Update only.

Administrative Agency: Discussion and possible action relative to the approval of a resolution declaring the intention to create a wine heritage district and another resolution requesting that Plymouth, Amador City and Sutter Creek all participate in the creation of this district.

Mr. John Di Stasio, Amador Vintners Association President, addressed the board and provided background on the proposal to request establishing a wine heritage district to aid in marketing for the wine region in Amador County.

Discussion ensued and the following individuals wished to speak:

- Tracey Berkner, Visit Amador
- Kathleen Mahan, Helwig Winery

Ms. Tacy Oneto Rouen, Auditor, and Elizabeth Nelson, Treasurer, joined the discussion related to their concerns regarding staffing costs and needs.

Lengthy 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 4-0-1, to adopt a resolution declaring the intention to create a wine heritage district and to adopt a resolution requesting that the cities of Plymouth, Amador City and Sutter Creek all participate in the creation of this district.

Administrative Agency: Presentation to the Board regarding the current status of the 23/24 Budget and projections regarding the 24/25 budget as the budgeting process gets underway, along with approval of the budget calendar.

Mr. Chuck Iley, County Administrative Officer (CAO), addressed the board and presented a mid-year budget review.

ACTION: Informational only.

General Services Administration: Acceptance of donation to Amador County Animal Control by the Gary E. Noice Trust.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Brown and carried 4-0-1, to accept the bequest of The Gary E. Noice Trust in the amount of \$400,000 and send the acknowledgment letter from the GSA Director.

Minutes: Review and possible approval of the February 20, 2024 Board of Supervisors Meeting Minutes and February 29, 2024 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and carried 4-0-1, to approve the February 20, 2024 Board of Supervisors Meeting Minutes and February 29, 2024 Board of Supervisors Meeting Minutes.

PUBLIC HEARING 10:30 A.M.

Surveying Department: Public hearing and adoption of the Resolutions of Approval for a public utility easement abandonment and a Certificate of Merger for Gary L. and Diane M. Henricus. The properties involved in said Merger are Lots 370 and Lots 371/372 of Lake Camanche Village Subdivision Unit 1 as recorded in Book 3 of Subdivision Maps at Page 8 through 23. Assessor's Parcel No.'s 003-061-004 and 003-061-020. Merging the lots will allow the applicants to build a shop.

Mr. Roger Pitto, Surveyor, addressed the board and addressed the Board and summarized the staff report relative to this matter and reviewed the timeline and sequence of events which is hereby

incorporated into these minutes as though set forth in full.

Chairman Oneto opened the Public Hearing at this time. There were no public comments.

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 Brown, seconded by Supervisor Axe and carried 4-0-1, 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 Crew and carried 4-0-1, to adopt the resolutions approving the merger and the public utility easement abandonment.

RESOLUTION NO. 24-031

Issuing Certificate of Merger to Gary L. Henricus and Diane M. Henricus.

RESOLUTION NO. 24-032

Approving Abandonment of a Public Utility Easement for Gary L. and Diane M. Henricus.

Planning Department: Consideration of the Planning Commission's recommendation to approve a variance (V-23;12-1 Johnson) from the 25-foot front yard setback requirement and Public Utility Easement (PUE) setback requirement on Final Subdivision Map No. 116, to allow construction of a carport 10 ft. from the front property line and 3 ft. from the PUE (APN: 038-660-010).

Ms. Nicole Sheppard, 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.

Chairman Oneto opened the Public Hearing at this time. There were no public comments.

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 Crew and carried 4-0-1, 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 Crew and carried 4-0-1, to approve the variance and adopt the resolution along with the recommended findings below.

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, existing accessory structures, and the slope and shape of the lot, the strict application of the front building setback and public utility easement setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications.
3. This variance is categorically exempt under section 15305 of the CEQA Guidelines (Class 5, minor setback variance not resulting in the creation of a new parcel) and a Notice of Exemption will be filed with the County Recorder.

RESOLUTION NO. 24-033

Approving a Variance to County Code 19.24.040 R1 District Regulations and From Final Subdivision Map No. 116, to Allow for the Construction of a Carport within the Front Building Setback and the Public Utility Easement Setback.

Planning Department: Consideration of the Planning Commission's recommendation to approve a request for a Zone Change (ZC-23;9-1) from the M, Manufacturing district to the RE, Residential Estates zoning district for an approximate 24.67 combined acres to establish consistency with the AG, Agriculture General, General Plan designation (APNs 030-020-102 and 030-020-108).

Mr. Ruslan Bratan, Planner, addressed the Board and summarized the staff report relative to this matter and reviewed the timeline and sequence of events which is hereby incorporated into these minutes as though set forth in full.

Chairman Oneto opened the public hearing at this time. The following individuals wished to speak.

- Mr. Craig Baracco, Foothill Conservancy, Executive Director

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 Crew, seconded by Supervisor Axe and carried 4-0-1, to close the public hearing.

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

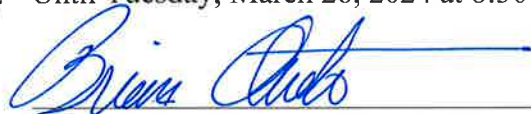
MOTION #2: It was moved by Supervisor Axe, seconded by Supervisor Crew and carried 4-0-1, to approve the requested Zone Change and adopt the ordinance to change the zoning of the affected parcels from the M, Manufacturing district to the RE, Residential Estates zoning district along with the recommended findings below.

1. A review of the proposal was conducted by staff and the Technical Advisory Committee who, through their own research, found that the Mitigated Negative Declaration will not have a significant effect on the environment and the Notice of Determination included in the Staff Report reflects the Commission's independent judgment and analysis, and will be filed with the County Recorder.
2. There is no substantial new information, which was not known at the time of the General Plan Environmental Impact Report certification that supports findings of new or more severe impacts than those addressed in the General Plan.
3. There are no project-specific significant, unmitigated effects, which are peculiar to the project or its site.
4. Approval of the proposed Zone Change will not create conditions detrimental to public health, safety, and general welfare in that the proposed change will not result in a substantial change on the conditions of the existing surrounding neighborhood or environment.
5. The proposal is consistent with the General Plan. The Proposed RE Zoning District is consistent with the goals, objectives, and policies of the Land Use Element of General Plan and the Agricultural General land use designation.

ORDINANCE NO. 1843


Amending Sectional Zoning District Map No. N-205 Pursuant to Section 19.20.020 of the Amador County Code by Rezoning Certain Real Property from the M, Manufacturing District to the RE, Residential Estates.

ADJOURNMENT: Until Tuesday, March 26, 2024 at 8:30 a.m.



Brian Oneto, Chairman, Board of Supervisors

ATTEST:



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

March 12, 2024 CONSENT MINUTES

7.a. Building Department-Limited Density Owner-Built Rural Dwelling / LD200027 - Wiseman

ACTION: Approved-Resolution No. 24-034

7.b. General Services Administration: RFP 23-29 Contract Services for Child Welfare County Self-Assessment/Five-Year System Improvement Plan (SIP)

ACTION: Approved

7.c. Juvenile Justice Commission: Approve the resignation of Aditra Miller and approve the appointments of Amy Hixon and Gina Whitaker to the subject committee for a four year term ending March 11, 2028.

ACTION: Approved

7.d. Jail Expansion Project Budget Increase and Transfer Request.

ACTION: Approved

7.e. Jackson Valley Fire Protection District (JVFPD): Approval of the resignation of Ms. Vicky Farmer and approval of the following individual to the JVFPD Board of Directors: Mr. Robert Milligan effective March 12, 2024 for a four year term. (Until March 11, 2028).

ACTION: Approved

7.f. Amendment to Behavioral Health Agreement with Department of Health Care Services to provide Mental Health services to residents of Amador County, for fiscal years 22-27. Resolution approving amendment to agreement and delegating signature authority to Behavioral Health Director.

ACTION: Approved-Resolution No. 24-035

7.g. Amendment to Behavioral Health's Performance Contract with Department of Health Care Services, the agreement sets forth conditions and requirements that County must meet for funding. This amendment extends the term one more year.

ACTION: Approved-Resolution No. 24-036

7.h. Administrative Agency: Approval of a request by the City of Plymouth for the County to donate the remaining Rule 20A Credits to underground the overhead lines at McGee Park. The value of these credits is approximately \$92,000, although they are no longer allowed to be sold and they will expire in 2025.

ACTION: Approved

7.i. General Services Administration: ITB 23-06 Amador County New Sheriff Hangars.

ACTION: Approved

7.j. Establishment of a Subscription-Based Information Technology Arrangements (SBITAs)/SBITA Assets Policy.

ACTION: Approved-Resolution No. 24-037

7.k. Amador Child Care Council: Approval of a Certification Statement regarding Composition of Local Child Care Planning Council membership of the California Department of Social Services, Child Development Division for 2024.

ACTION: Approved

7.l. Sheriff's Office: Approval of a Resolution naming the Undersheriff as the Authorized Official for Grant Funding through the State of California; Department of Water Resources, County Drought Resilience Planning Assistance Program for the fiscal years 2023-2025.

ACTION: Approved-Resolution No. 24-038

7.m. Adoption of Plans and Specifications for Class II Surface Impoundment Water and Sludge Removal Project and for Water Hauling during construction.

ACTION: Approved

7.n. Public Health - Approval of agreement with Santa Cruz County for assistance with the CMAA program.

ACTION: Approved

7.o. Public Health - Approval of Budget increase to account for additional revenue from the two ELC grants. No additional Realignment funds or General Funds are being requested.

ACTION: Approved

7.p. Resolution Authorizing the Execution of Administering Agency-State Funds Transfer Agreement for State Funds.

ACTION: Approved-Resolution No. 24-039

7.q. Revised Job Descriptions for Environmental Health Specialist I and Records Management Assistant.

ACTION: Approved

7.r. General Services Administration: Budget Increase Request for Economic Development to account for grant funds received from the CPUC Local Agency Technical Assistance (LATA) program. No additional General Funds are being requested.

ACTION: Approved

7.s. 23-11 - 2023 County Road Striping Program Resolution of Acceptance Final Agreement and Release of Claims Sierra Traffic Marking, Inc.

ACTION: Approved-Resolution No. 24-040

7.t. Approval for Cal-EIS Student Fellow at Public Health for the term of one year. This position will be funded b the California Department of Public Health.

ACTION: Approved

7.u. Amador Fire Protection District Amended Conflict of Interest Code: The Political Reform Act (Government Code Sections 87200 et seq.) requires all local agencies to adopt a conflict of interest code, which is not effective until it has been approved by the code-reviewing body. The County Board of Supervisors is the code-reviewing body for all Amador County local agencies, including AFPD. The code must include a list of positions for which economic interest disclosures must be filed. Government Code section 87306 further provides that changed circumstance, including the creation of new positions, require amendment to the conflict of interest code which then must be approved by the code-reviewing body.

ACTION: Approved-Resolution No. 24-041

7.v. Sheriff's Office: Approval of Standard Agreement 24-78000-00 between the Amador County Sheriff's Office and the Department of State Hospitals. Effective July 1, 2024-June 30, 2029.

ACTION: Approved

7.w. Law Library Committee: Approval of the re-appointment of the following persons to the subject Committee through December 31, 2024.

Grace Pak

Kori Tearpak

John Allen

John C. Fowler

ACTION: Approved