Amador County Board of Supervisors
ACTION MINUTES
SPECIAL MEETING

DATE: Tuesday, October 4, 2016
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:

John Plasse, Chairman, District I
Richard M. Forster, Supervisor, District II
Lynn A. Morgan, Supervisor, District III
Louis D. Boitano, Vice-Chairman, District IV
Brian Oneto, Supervisor, 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.
PLEDGE OF ALLEGIANCE: Chairman Plasse led the Board and the public in the Pledge of Allegiance.

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 Forster and unanimously carried to approve the agenda as presented above.

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 five (5) minute limit per person.

Emergency Defibrillators: Ms. Jill North, District 1 resident, addressed the Board to inquire why there are not any Emergency Defibrillators installed in the County Administrative Center as they are in other Government Buildings. Supervisor Forster responded by stating Risk Management has been looking into installing Defibrillator boxes, however ongoing maintenance may be a cost issue. He advised Risk Management will continue researching the cost of installing and maintain this type of equipment for the future. It was noted that Emergency Defibrillator boxes are installed at the Amador County Health and Human Services Building.

REGULAR AGENDA

**9:00 A.M.**

PUBLIC HEARING:

Item 1: Consideration of the Planning Commission’s recommendations to the Board of Supervisors and possible action relative to the proposed Final Amador County General Plan consisting of the following items:

1. Certification of the Final Environmental Impact Report (FEIR) prepared for the proposed Final Amador County General Plan;

2. Adoption of CEQA Findings of Fact and Statement of Overriding Considerations;

3. Adoption of a Mitigation Monitoring and Reporting Program;

4. Adoption of the proposed Final Amador County General Plan; and

5. Approval of the Implementation Plan.
   Applicant: County of Amador
   Supervisorial District: I, II, III, IV, and V
   Location: Unincorporated area of Amador County
Chairman Plasse stated the Board had received several items of “last minute” correspondence and staff had prepared responses to that correspondence which the Board would now take about a 15 or 20 minute break to review those letters and responses.

**RECESS:** At 9:10 a.m. Chairman Plasse recessed the meeting to allow the Board to review the last minute correspondence.

**REGULAR SESSION:** At 9:30 a.m. Chairman Plasse reconvened the meeting.

Ms. Susan Grijalva, Planning Director, took this time to review with the Board the following items that were received after the agenda for this meeting was posted, some within less than 24 hours prior to the meeting. She advised the Board has been provided copies of the correspondence and staff responses for their review.

- Buena Vista Rancheria letter and staff response.
- Letter from Ms. Katherine Evatt and staff response.
- Electronic submittal from Mr. Tom Infusino on behalf of the Foothill Conservancy and staff responses to the cover letter. (Submittal included 76 attachments totaling 5,175 pages)
- E-mailed comments from Mr. Gary Reinoehl and staff responses.
- Additional documents from Mr. Tom Infusino (3 newspaper articles, copy of the Board of Forestry Safety Element Review Letter and a copy of a Foothill Conservancy Newsletter-no response prepared since submittals were for informational purposes only).
- E-mailed letter from Ms. Mara Feeney, no response necessary.

Ms. Grijalva also stated 3 additional General Plan errata items that were prepared after the October 4th staff report was issued will be reviewed when the hearing commences, but are minor in nature.

Ms. Grijalva also took this time to introduce Mr. Matt Hertel, who served as the key contact at AECOM, the General Plan and EIR consultant; Mr. Al Herson, with Sohagi Law Group serving as CEQA Counsel.

Ms. Susan Grijalva, Planning Director provided an overview of the General Plan Update process including the proposed changes to the Land Use Diagram and information on open space areas, code updates, general plan information, implementation programs versus mitigation measures, responses to EIR comments, and public participation. Ms. Grijalva continued by comparing the current land use map with the proposed land use map. She also stated the Fiddletown Moose Lodge is currently for sale and the current land use designation is Public Service and staff recommends changing this designation back to Agricultural-General, consistent with the surrounding area. She continued by reviewing the Open Space designations. The County has approximately 387,200 acres; of this 32.3% is designated Open Space, 49.5% is Agricultural and 18.1% is the rest of the general plan designations which also includes the cities and tribal lands. Ms. Grijalva explained that once the General Plan Update is done there will be updates to the County’s ordinances for development standards for parcel maps and subdivision, zoning regulations, etc. Ms. Grijalva continued with an explanation of the relationship between General

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Plan Designations and compatible Zone Districts. The General Plan designations are the “general” land use category for a property and do not have regulations. Zone Districts set out the various uses that are allowed, either by right or with a use permit. For each General Plan designation there are compatible Zone Districts.

Ms. Grijalva reviewed the staff report which is hereby incorporated into these minutes as though set forth in full. She made note that the staff reports and minutes from the July 19th and August 23rd Planning Commission Meetings are incorporated into the staff report that is before the Board today and contain extensive detail relative to much of the same information that was and will be discussed today. She also noted the mitigation monitoring and reporting program and the findings and statements of overriding consideration are also incorporated into the staff report for reference today and contain the changes that are recommended on the errata sheets contained in the staff report. Ms. Grijalva provided an overview of the process to date; contents of the Final EIR; modifications made to the Draft General Plan as a result of comments received and to clarify or amplify information or correct minor errors; the standards for EIR adequacy; the errata items lists; the Planning Commission’s recommendations; and non-substantial changes to the General Plan recommended by staff in response to some comments received during the hearing process and included in the additional errata items, post October 4, 2016 staff report. She stated the purpose of this public hearing is to take comments on the FEIR as well as the proposed Final General Plan. Following the close of the public hearing the Board of Supervisors will then consider the Planning Commission’s recommendations on the certification of the Final EIR and the adoption of the CEQA Findings of Fact and Statement of Overriding Considerations, the Mitigation Monitoring and Reporting Program, the Final General Plan, the Implementation Plan, and the errata item lists contained in Staff Report Attachments E-1, E-2 and E-2 as well as the 3 additional errata items, post October 4, 2016 staff report distributed today which are as follows:

1) Page E-2: Change “Economic development describes the actions that can be taken by the County and the County’s lead economic agency /outside economic agencies to promote or support job-and revenue-generating uses.” (the Board will need to select which they prefer.)

2) Page E-8: change to read, “The AEDC anticipates it is anticipated the fastest growing industry in the County will be personal services…”

3) Recommend clarifying the first bullet recommended n page 4 of the General Plan Errata Items list for Page S-12 to read as follows:

- “When preparing all types of fire plans (e.g., planning, recover, disaster preparedness [pre-disaster], post-disaster, etc.) for the County, use as a reference the following website: http://www.caloes.ca.gov/PlanningPreparednessSite/Documents/14%20Recover%20Executive%20Summary%2010-30-13.pdf.

Ms. Grijalva then reviewed the potential actions before the Board of Supervisors.

Discussion ensued with Ms. Grijalva, Mr. Hertel and Mr. Herson fielding questions from the Board relative to the staff report.
Supervisor Oneto had a specific question relative to Page P-7 of the Implementation Plan wherein it is stated the County will communicate to all appropriate federal elected officials, federal agencies and departments that the county is not supportive of projects or designations that would be incompatible with the long term water needs of Amador County. Supervisor Oneto asked if State Officials could also be added to the communication list. Mr. Al Herson, CEQA Counsel, advised that change would not be considered substantial and can be made at this time. The following motion resulted.

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

**MOTION #1:** It was moved by Supervisor Oneto, seconded by Supervisor Boitano and unanimously carried to amend Program P-3 Item 4. on page P-7 of the Implementation Plan to read, “Communicate to all appropriate state and federal elected officials, state and federal agencies and departments, that…”

Chairman Plasse opened the Public Hearing at this time and reiterated the time limit per person speaking will be five (5) minutes. The following individuals spoke relative to this matter:

- Mr. Wendell Peart, District IV resident
- Mr. Tom Infusino, District III resident
- Ms. Cecily Smith, Executive Director, Amador Foothill Conservancy
- Ms. Rhonda Pope, Representing Buena Vista Rancheria
- Mr. Gary Reinoehl, District V resident
- Mr. Ciro Toma, District IV resident

**ACTION #2:** Public Hearing closed pursuant to the following motion.

**MOTION #2:** It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to close the public hearing.

Discussion ensued.

**RECESS:** At 11:15 a.m. Chairman Plasse recessed the meeting for a short break.

**REGULAR SESSION:** The meeting was reconvened at 11:45 a.m.

Further discussion ensued and staff provided responses to comments made during the public hearing.

**ACTION #3:** Direction given pursuant to the following motion.

**MOTION #3:** It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to adopt a resolution:
a. Certifying that pursuant to CEQA Guidelines Section 15090 the FEIR (SCH #2009072089), with the incorporation of those changes as shown in the September 21, 2016 Final EIR Errata items List: has been completed in compliance with CEQA; has been presented to the Board of Supervisors, and the Board has reviewed and considered the information contained in the Final EIR prior to approving the project; and that the Final EIR reflects the County’s independent judgement and analysis; and

b. Adopting the CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, including revisions to these documents shown in underline and strikeout made to reflect the September 21, 2016 Final EIR Errata List.

RESOLUTION NO. 16-115

Resolution certifying the Final EIR for the Amador County General Plan (SCH NO. 2009072089), and adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program.

ACTION #4: Further direction given pursuant to the following motion.

MOTION #4: It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried to adopt a Resolution approving the General Plan Update and its Implementation Plan which is a reference document for, not a formal component of, the General Plan, with the incorporation of the changes contained in the September 21, 2016 General Plan and Implementation Plan Errata Items Lists and the additional Errata items, post the October 4, 2016 staff report; and including the previous action taken earlier in the meeting by a unanimous vote related to requested changes regarding communication to appropriate parties that the County is not supportive of projects or designations that would be incompatible with the long term water needs of Amador County. (See page 5.)

Ayes: Supervisors Boitano, Forster, Plasse and Oneto
Noes: Supervisor Morgan
Absent: None

RESOLUTION NO. 16-116

Resolution adopting the Amador County General Plan Update and its Implementation Plan (SCH NO. 2009072089)

ACTION #5: Further direction given pursuant to the following motion.

MOTION #5: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to authorize staff to make any edits and changes not specifically identified herein to correct typographical, grammar, or punctuation errors, or to make all documents consistent with the final action of the Board of Supervisors.
ACTION #6: Further direction given pursuant to the following motion.

MOTION #6: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to authorize Planning staff to draft a letter for the Chairman’s signature to be sent to the Board of Forestry explaining that due to extensive inter-agency coordination and/or County time and resource commitment that is needed, and in some cases due to the recommendations being perceived to be an overreach of governmental oversight, some recommendations proposed by the Board of Forestry will not be included at this time.

Further discussion ensued with Ms. Grijalva, Planning Director requesting Board direction regarding the following item highlighted in the errata items received today:

1) Page E-2: change “Economic development describes the actions that can be taken by the County and the County’s lead economic agency /outside economic agencies to promote or support job-and revenue-generating uses.”

ACTION #7: Further direction given pursuant to the following motion.

MOTION #7: It was moved by Supervisor Oneto, seconded by Supervisor Morgan and unanimously carried to amend Item 1 of the additional errata items, post the October 4, 2016 staff report, as shown below:

1) Page E-2: change “Economic development describes the actions that can be taken by the County and the County’s economic agencies to promote or support job-and revenue-generating uses.”

ADJOURNMENT: Until Tuesday, October 11, 2016, at 8:30 a.m.

Louis D. Boitano, Vice-Chairman, Board of Supervisors

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

October 4, 2016-Special Meeting-General Plan 7
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