

# Amador County Board of Supervisors ACTION MINUTES

## REGULAR MEETING

**DATE:** Tuesday, September 10, 2019  
**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:

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

**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.**

**The Board convened into Open Session at this time to hear comments from public members wishing to speak on a matter listed on the Closed Session Agenda. Vice Chairman Crew opened the meeting. The following individual wished to speak.**

**Buena Vista Casino Issues-Closed Session Item 2a:** Mr. Bill May, District II resident, took this time to address the Board regarding the following two issues:

- Appears to be internal conflicts within Caltrans regarding the installation of the permanent signage at Buena Vista Road and Highway 88. Mr. May suggested perhaps a joint letter to the Director of Caltrans would be helpful in moving this project along before winter weather arrives.
- Trash pickup along Martin Lane and Jackson Valley Road has not been monitored by Public Works. Mr. May stated he sent a letter to the General Manager of the Casino but he feels staff should be periodically checking on the situation.
- The Casino is providing shuttle service from various areas around the County to the Casino site and have been using Jackson Valley Road as the primary route. Mr. May stated this is certainly not going to ease the traffic issues in that area and would like this matter researched and have the shuttles redirected. Mr. Chuck Iley, County Administrative Officer advised this matter will be placed on the next BVAC Committee Meeting Agenda. The meeting will be held on September 30, 2019 at the Buena Vista Cultural Center at 6:00 p.m.

**REGULAR SESSION: At 9:00 a.m., the Board convened into regular session. Chairman Oneto reported the following issues were reviewed in closed session.**

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6

**ACTION: Direction given to staff.**

Confidential Minutes: Review and possible approval of August 27, 2019 Confidential Minutes.

**ACTION: Approved pursuant to the following motion.**

**MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to approve the September 10, 2019 Confidential Minutes as presented.**

**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**.

**Buena Vista Casino Issues:** Mr. Bill May, District II resident, addressed the Board and stated he attended the Native Sons Admission's Day Steak BBQ last night and it was well attended and a very good event. He noted Supervisor Forster donated the wine for the event, as he does every year. Mr. May also advised the Board that the Hard Rock Hotel and Casino is scheduled to open near Wheatland on October 13, 2019 and he surmised that the opening of that facility will hinder patrons from traveling to the Buena Vista Casino.

**Wings & Wheels Event:** Mr. Dave Sheppard, Airport Manager, introduced Mr. Rand Ilich EAA Chapter 1539 Event Chairman, who invited the Board and all in attendance to celebrate Amador County Airport and 90 Years of Aviation at the Wings and Wheels Event to be held on September 21, 2019 at 9:00 a.m. at Westover Field.

**Public Safety in Ione:** Mr. Matt Dolezal, District II resident, addressed the Board and expressed concern regarding safety of pedestrians in the area of Market Street and Relihan Drive and in the vicinity of Howard Park. Mr. Dolezal mentioned a young high school student was recently hit by a car in the area. He suggested perhaps utilizing the Community Fund to move forward with sidewalks in that area. Mr. Dolezal stated the area becomes congested with traffic in the morning and afternoons when students are being dropped off at school as well as on Sunday's as the Catholic Church is in that area as well. Supervisor Forster advised a clear nexus should be identified before pursuing the use of the Community Fund for such a project, but applauded Mr. Dolezal for bringing this forward and suggested perhaps Caltrans will now consider the project under the Safe Route to School Program.

**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 Oneto advised the following matter was added as an Addendum to the Regular Agenda for today's date.

**Administrative Agency:** Discussion and possible action relative to the request for the Chairman's signature on a letter to CalFire requesting additional funds for the Tree Mortality program, as the County has nearly exhausted the funds, while extensive tree mortality remains to be addressed.

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

**MOTION:** It was moved by Supervisor Axe, seconded by Supervisor Brown, 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)

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

**MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the Consent Agenda as presented.**

**REGULAR AGENDA**

**Behavioral Health:** Discussion and possible action relative to adoption and presentation of a Resolution declaring the week of September 8<sup>th</sup>-14<sup>th</sup> as Suicide Prevention Week in Amador County.

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

**MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to adopt the following Resolution declaring the week of September 8<sup>th</sup>-14<sup>th</sup> as Suicide Prevention Week in Amador County. Chairman Oneto then presented the Resolution to representatives of the Amador Suicide Prevention Coalition and Behavioral Health.**

**RESOLUTION NO. 19-101**

Resolution declaring the week of September 8<sup>th</sup>-14<sup>th</sup> as Suicide Prevention Week in Amador County.

**Agricultural Department:** Presentation of the 2018 Amador Agricultural Crop and Livestock Report.

Mr. Eric Mayberry, Agricultural Commissioner, presented the 2018 Amador Agricultural Crop and Livestock report and fielded questions from the Board. A copy of the Report will remain on file in the Board Office.

**ACTION: Presentation only.**

**General Services Administration:** Discussion and possible action relative to ITB 19-23 District Attorney HVAC system.

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, he noted although six independent firms were present for a pre-bid conference held on June 24, 2019 at the District Attorney's office for Bid 19-10, no bids were received on July 18, 2019 for the HVAC Project. Contractors reported 1) due to the number of competitors showing up at the conference firms elected not to bid assuming they would not be successful and; 2) firms are so busy they are reluctant to submit bids as they do not need to compete. Since no bids were received, some firms experienced remorse and indicated if the County re-bid the project they would submit a bid.

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. **Reject Invitation to Bid 19-23 for the District Attorney HVAC Project submitted by Air 9 in the amount of \$129,500.00 and;**
2. **Authorize the Director of General Services to proceed as needed utilizing staff and/or contractors (with a preference to Contractors), to complete the work and;**
3. **Authorize the Director of General Services and County Counsel to sign and issue construction contracts or Purchase Orders as needed.**

**General Services Administration:** Discussion and possible action relative to Planning RFP 19-21-Scenic Viewsheds Mapping and Design Standards for Development within Scenic Viewsheds and Special Planning Areas.

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, he provided background by stating on Thursday, August 22, 2019 at 1:30 p.m. Requests for Proposals (RFP) 19-21 were received, opened and read publicly. In addition to legal ads, the Planning Director provided a list of four known firms that were notified of the RFP and two thousand one hundred seventy-four notifications were sent to firms via Public Purchase. Seventy nine accessed the information and five downloaded the information. Unfortunately, no proposals were received and on August 22, 2019 firms reported that: 1) they simply overlooked the invitation and; 2) had a lack of resources due to other work and; 3) personnel were on vacation. Mr. Hopkins noted this work is required to be done as a result of a mandated settlement agreement between the County and Foothill Conservancy. Time is also of the essence to conduct the work. Unlike the requirements for Public Work, this work is not required to be re-advertised and can now be informally solicited.

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 Brown and unanimously carried to:

1. **Authorize the Planning Director to informally solicit a minimum of three (3) but not more than six qualified firms for proposals and;**
2. **Authorize the Director of General Services and an Ad Hoc Committee made up of the Chairman and Vice-Chair to conduct formal RFP evaluations and;**
3. **Based upon the top ranked firm authorize the Director of General Services to award the work to the top ranked firm and;**
4. **Authorize the Planning Director and County Counsel to negotiate final terms and conditions based upon the sample professional services agreement and;**

**5. Authorize the Chairman to execute said agreement contingent upon the Planning Director's and County Counsel's approval.**

**Amador County Recreation Agency (ACRA):** Discussion and possible action relative to a request by ACRA to change "Section 3.1-Governing Board" of the ACRA Joint Powers Agreement to allow member jurisdictions to appoint Directors to the ACRA Board that are not elected officials. Also that each member jurisdiction appoint an alternate director should their appointed representative be unable to attend.

Ms. Carolyn Fregulia, ACRA Executive Director, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, she noted in recent years, ACRA has experienced a lack of Board Member attendance that has resulted in certain jurisdictions not being represented on the ACRA Board for several months or even during the course of a year. ACRA has also suffered a lack of quorum four times during the last fiscal year, which hampers the general course of business for the Agency. Therefore, the request before the Board today is to amend Section 3-1 (Governing Board) of the Joint Powers Authority Agreement to include language making it possible for the Member Jurisdiction to appoint Directors who are not elected officials. Each Member Jurisdiction would also be directed to appoint an alternate director should their appointed representative not be able to attend. In addition she added, the Ione City Council is requesting the following sentence also be added. "*Appointed directors must reside within the jurisdiction they represent.*"

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 unanimously carried to approve the proposed amendment to Section 3-1 (Governing Board) of the ACRA Joint Powers Agreement as outlined above including the suggested language from the City of Ione.**

**Administrative Agency Addendum:** Discussion and possible action relative to the request for the Chairman's signature on a letter to CalFire requesting additional funds for the Tree Mortality program.

Mr. Chuck Iley, County Administrative Officer, explained the County has nearly exhausted the current funds, while extensive tree mortality remains to be addressed. These funds cover the 25% of the costs that Cal OES does not cover. Mr. Iley noted the current funds are near exhaustion at this point.

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 unanimously carried to authorize the Chairman's signature on a letter to CalFire requesting additional funds for the Tree Mortality program.

**Minutes:** Review and possible approval of the August 27, 2019 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 August 27, 2019 Board of Supervisors Meeting Minutes with corrections.

**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 10:10 a.m., the Board convened into closed session.**

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

#### **Buena Vista Rancheria**

**ACTION:** Direction given to staff.

**REGULAR SESSION:** At 10:30 a.m., the Board convened into regular session. Vice-Chairman Crew reported the above issue was reviewed in closed session.

#### **PUBLIC HEARINGS: \*\*10:30 A.M.\*\***

Planning Department: Discussion and possible action relative to consideration of the Planning Commission's recommendation to approve a variance from County Code 19.24.040, "PD-R1" district regulations, which requires a 25' front yard building setback. The applicants propose to construct an attached garage enclosed walkway

Mr. Chuck Beatty, Planning Director, addressed the Board and summarized the staff report relative to this matter as though set forth in full.

Chairman Oneto opened the public hearing at this time. Hearing no comment the following action was taken.

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

**MOTION #1:** It was moved by Supervisor Forster, seconded by Supervisor Axe to close the Public Hearing.

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

**MOTION #2:** It was moved by Supervisor Brown, seconded by Supervisor Crew and unanimously carried to adopt the following Resolution approving a variance to County Code Section 19.24.040-PD-R1 District regulations requiring a 25' building setback from front property lines-to allow construction of an attached garage an covered walkway at 34061 Danberg Drive, APN 026-161-007-George and Rae Charos; and adopt the following findings and conditions.

**Conditions:**

1. Prior to issuance of the building permit the applicant must obtain written approval from the Kirkwood Meadows Association Planning Committee for said construction;
2. All necessary building permits shall be obtained from the Building Department for construction of the proposed structures.

**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;
2. Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privilege 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 its 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.

**RESOLUTION NO. 19-102**

Resolution approving a Variance to County Code Section 19.24.040-PD-R1 District regulations requiring a 25' building setback from front property lines-to allow construction of an attached garage an covered walkway at 34061 Danberg Drive, APN 026-161-007-George and Rae Charos

**ADJOURNMENT:** Until Tuesday, September 24, 2019, at 8:30 a.m.

**September 10th Consent Agenda Minutes**

**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).

- 6.a. Board of Supervisors: Approved a resolution declaring a Local State of Emergency in Amador County due to Pervasive Tree Mortality (Original resolution Adopted on February 23, 2016)  
**Resolution 19-103**
- 6.b. Public Works: Approved Purchase Agreement with William and Lora Crisp (APNs: 014-240-023) as part of the Fiddletown Road Bridge Replacement Project BRLS 5926 (035);  
And authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions.
- 6.c. Assessor: Approved of Secured roll correction value being decreased over \$150,000.
- 6.d. Behavioral Health: Approved agreement with Housing Tools for Fiscal Year 19-20
- 6.e. Behavioral Health: Approved agreement with The Resource Connection, First Amendment for Fiscal Year 19-20
- 6.f. Behavioral Health: Approved First Amendment to Agreement with Crestwood Behavioral Health for Fiscal Year 19-20
- 6.g. Sheriff's Office: Approved of Annual Financial and Operating Plan entered into by and between the Amador County Sheriff's Office and the USDA, Forest Service, El Dorado National Forest.
- 6.h. General Services Administration: Awarded RFQ 19-18 to Youngdahl Consulting Group, Inc., UNICO and R.E.Y. Engineers for a period of three (3) years in an amount not to exceed \$75,000.00 for On-Call General Construction Inspection and Materials Testing Services, and authorized the Public Works Director and County Counsel to negotiate final terms and conditions based upon a sample contract, and authorized the Chairman to execute professional documents as needed (contingent upon the Director of Public Works and County Counsel's approval)
- 6.i. Building Department: Authorized agreement allowing a Limited density Owner-Built Rural Dwelling for LD01030-Sanchez.Garrett, and adopted a Resolution reflecting this approval.  
**Resolution 19-104**

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Brian Oneto, Chairman, Board of Supervisors

ATTEST:

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

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