

CALAVERAS COUNTY BOARD OF SUPERVISORS

GARY TOFANELLI - CHAIR
DISTRICT 1
JOHN "JACK" GARAMENDI – VICE-CHAIR
DISTRICT 2
MICHAEL C. OLIVEIRA
DISTRICT 3
DENNIS MILLS
DISTRICT 4
CLYDE CLAPP
DISTRICT 5



TIMOTHY LUTZ
COUNTY ADMINISTRATIVE OFFICER
MEGAN STEDTFELD
COUNTY COUNSEL
REBECCA TURNER
CLERK OF THE BOARD
DIANE SEVERUD
DEPUTY CLERK
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249 TEL: 209/754-6370

September 12, 2017 REGULAR MEETING MINUTES

CALL TO ORDER

The meeting was called to order at 9:00 AM by District 3 Supervisor Michael C. Oliveira

| Attendee Name | Title | Status | Arrived |
|---------------------|-----------------------|---------|---------|
| Gary Tofanelli | District 1 Supervisor | Present | |
| John Garamendi | District 2 Supervisor | Present | |
| Michael C. Oliveira | District 3 Supervisor | Present | |
| Dennis Mills | District 4 Supervisor | Present | |
| Clyde Clapp | District 5 Supervisor | Present | |

Pledge of Allegiance

Announcements

This is a time for board members and County staff to provide updates of upcoming County events that may be of interest to the public.

Barbara Yook, District Attorney, announced an upcoming poster contest focused on School Attendance Awareness with cash prizes and the opportunity to be "Sheriff for the Day".

Rick DiBasilio, Sheriff, added to the DA announcement and expressed his hope that the posters and artists will be recognized in some way at the County.

Jeff Crovitz, Public Works, reported on a successful Hazardous Waste event held last weekend.

Nancy Giddens, Librarian, announced an award of a grant to purchase two 3D printers. She reported on the Linked Plus Program which links other library systems to ours. She gave an update on the Scenic project which will provide links to the Social Security Administration, Veterans Services, computer literacy and medical information sites to name a few.

CAO Lutz reported the audio difficulty currently happening with the video live stream. He thanked Patrick Martin for the hard work of his crews to revitalize the Government Center Campus..

Supervisor Oliveira thanked Patrick and the Facilities Team for the retiring of the colors ceremony yesterday.

RECOGNITION AND ACKNOWLEDGEMENTS

1. **BOARD OF SUPERVISORS** Adopt a Proclamation recognizing the continued efforts of Calaveras Recovers.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gary Tofanelli, John Garamendi |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

2. **BOARD OF SUPERVISORS** Proclaim the week of September 17 through 23, 2017 as Constitution Week in Calaveras County.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Michael C. Oliveira, Dennis Mills |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

PUBLIC COMMENT - 30 MINUTES

Dr. Propanna Randall Smith, District 3, announced a new stakeholders group, the CalCo Cannabis Stakeholders Group.

Alice Montgomery, District 3, commented on the health and safety and the finance of the citizens of the county.

Jack Norton, District 1, spoke regarding his experience of the Alameda County Cannabis Stakeholders Group.

Ben Stopper provided an email between Dennis Mills and Bill McManus.

Staci Johnston, Chamber of Commerce, thanked the Board, staff and citizens for their support of the Chamber events.

Bob Bowerman, District 5, thanked PATV for their efforts to provide live streaming.

Matt Brock, San Andreas, expressed his personal struggle regarding the cannabis issue; whether to ban or restrict.

Bonnie Newman, Double Springs, continued her story of the history of Calaveras County.

Brandon Smith, Valley Springs, commented on cannabis.

Joan Wilson, District 1, commented on an alleged bankruptcy filed by Dennis and Vickey Mills.

CONSENT AGENDA

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

3. Minutes of Board of Supervisors – Regular Meeting – Aug 22, 2017 8:00 AM
4. Item Pulled from Consent
5. **AUDITOR/CONTROLLER** Adopt a Resolution Establishing Ad Valorem Property Tax Rates for Fiscal Year 2017-18.
6. **DISTRICT ATTORNEY** Approve the Extension of the CalOES XC Grant in the amount of \$124,692. Acceptance of this funding requires an additional County match of \$31,173. Acceptance of this funding also extends the grant period another year and half to December 31, 2019.
7. **SHERIFF** Approve blanket purchase orders with Sysco of Central California, Ted Food Service, Ecolab and Bob Baker in the joint and several not to exceed amount of \$167,500.00 for the fiscal year 2017-2018 for inmate food and supplies at the Calaveras County Sheriff's Jail.
8. **SHERIFF** Authorize the Sheriff to approve amendment P00001 to contract W9123817D0026 with the US Army Corps of Engineers for law enforcement services for New Lake Hogan for 2017-2021 in the not to exceed amount of \$336,000.00.

9. **SHERIFF** Receive the FY16-17 Inmate Welfare Expenditure Report pursuant to California Penal Code Section 4025.
10. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM** Approve the Health and Human Services Agency – Behavioral Health Services Mental Health Program’s (MHP) Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan for fiscal years 2017-18, 2018-19, and 2019-20.
11. Item Pulled from Consent
12. Item Pulled from Consent
13. **PUBLIC WORKS** Adopt a Resolution transferring ownership of Transit Bus 67 to the California Department of Transportation.
14. **ADMINISTRATIVE OFFICE** Approve and adopt a Resolution authorizing the County Administrative Officer, Assistant County Administrative Officer, and/or the Director of Emergency Services to apply for funding in the amount of \$134,180 for the fiscal year 2017-18 Emergency Management Performance Grant (EMPG), and authorize the submittal of any applications or amendments thereto with the State of California for the purposes of securing this grant opportunity.
15. Item Pulled from Consent
16. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency for the winter storm damage from extreme weather events that began on January 7, 2017 through the month of February 2017.
17. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency for the removal of hazardous trees caused by the Butte Fire with the imminent threat of severe winter weather.
18. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing the Local State of Emergency for the Butte Fire.
19. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency on Tree Mortality.

ITEMS PULLED FROM CONSENT

CLERK/RECORDER Authorize Amendments to Clerk-Recorder Fee Schedule.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | John Garamendi, District 2 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

BEHAVIORAL HEALTH SERVICES - SUBSTANCE ABUSE PROGRAM Authorize the Board Chair to sign an Agreement with Calaveras County Office of Education for the provision of a Friday Night Live Mentoring Program in an amount not to exceed \$60,000 for the period of July 1, 2017 through June 30, 2018.

There was a correction to the length of term of the contract; it should be through June 30, 2019, not 2018 as stated in the recommendation.

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| RESULT: | APPROVED AS AMENDED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | John Garamendi, District 2 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

PUBLIC WORKS Authorize the Director of Public Works to sign Quote 107875-02 and the associated Sales Agreement in order to purchase a Caterpillar 930M Loader from Holt of California under a California Multiple Award Schedule (CAMS) contract in an amount not to exceed \$274,467.18

This item was withdrawn from the agenda to be heard at a future date.

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| RESULT: | WITHDRAWN |
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ADMINISTRATIVE OFFICE Approve a contract with Lopez Engineering and Consulting, Inc, for providing consultation services to the Administrative Office and Public Works Department, not to exceed \$75,000. (2) Authorize the County Administrative Officer to sign the agreement.

This item was withdrawn from the agenda to be heard at a future date.

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| RESULT: | WITHDRAWN |
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REGULAR AGENDA

20. **ADMINISTRATIVE OFFICE** Recommend awarding the Tree Mortality Program Project Manager Contract to Tetra Tech

Supervisor Garamendi's motion was to award the contract to TSS Consultants and authorize the County Administrative Officer to sign the agreement, not to award to Tetra Tech, as recommended by staff.

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| RESULT: | APPROVED AS AMENDED [4 TO 1] |
| MOVER: | John Garamendi, District 2 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp |
| NAYS: | Michael C. Oliveira |

21. **AUDITOR/CONTROLLER** Introduce and waive the first reading of an ordinance adding section 2.24.040 "Establishment of reduced time periods allowed by statute", specifically for issuance of duplicate warrants. Authorize staff to publish a summary of the ordinance before the second reading as required by law.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

22. **ADMINISTRATIVE OFFICE** Receive a report from Staff, CalOES, and local organizations regarding the ongoing Butte Fire Recovery.

Calaveras Recovers gave a presentation and Mel Knight reported on continuing recovery efforts. Sharon Torrence, Butte Fire Recovery PIO, reported that she has been working with Mel Knight on the duplication of insurance benefits issue.

23. **PUBLIC WORKS** Authorize the Director of Public Works to advertise and award a Traffic/Engineering Study to evaluate potential impacts of a road capital project to improve vehicular and pedestrian circulation and safety in the vicinity of the Valley Springs Elementary School.

Additional information will be obtained at a September 21st meeting with the Public Works Director, Supervisor Tofanelli and a representative of the school.

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| RESULT: | TABLED [UNANIMOUS] |
| | Next: 9/26/2017 8:00 AM |
| MOVER: | Gary Tofanelli, District 1 Supervisor |
| SECONDER: | Clyde Clapp, District 5 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

24. **ADMINISTRATIVE OFFICE** Assign a member of the Board of Supervisors and an alternate to serve on the Eastside San Joaquin GSA, pursuant to FPPC Regulation 18754 and, (2) assign a member of the Board of Supervisors and an alternate to serve on the Central/Mother Lode Regional Consortium.

The following assignments were made:

Eastside San Joaquin GSA

Supervisor Mills - Primary Representative

Supervisor Garamendi - Alternate Representative

Central/Mother Lode Regional Consortium

Supervisor Oliveira - Primary Representative

Supervisor Tofanelli - Alternate Representative

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

25. **HUMAN RESOURCES** Approve the initial placement at Step E for the Facilities Maintenance Engineer in the Facilities Division of the Administrative Office.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

26. **BOARD OF SUPERVISORS** Adopt the recommended changes to the 2017 Board of Supervisors Meeting Calendar.

The October 31, 2017 night meeting was cancelled due to the lack of expected items for this date and the November 28, 2017 meeting was changed to December 5, 2017 to accommodate staff and board member attendance at the annual CSAC conference in Sacramento.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | Gary Tofanelli, District 1 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

27. **ADMINISTRATIVE OFFICE** Conduct the FY 2017-18 Final Budget Hearings and direct staff to return on September 26, 2017 with the Final Budget Resolutions

Board deliberations resulted in the following direction:

**Personnel Additions - approve all with the exception of the PIO/Chief of Staff - revisit at midyear.*

**Economic Development Director - move forward now.*

**Position Reclassifications - approve all.*

**Chamber of Commerce funding - revisit at midyear.*

**TOT funding allocation - 25% each to Public Safety (Fire), Roads, Sheriff and Calaveras Visitors Bureau (CVB).*

7:10 PM: Public Comment - Continued

Bill McManus, Ban Committee, wanted the Board to know that the Committee is listening to the Board and appreciates that the Board is listening to the Committee.

Trevor Witke provided and read an email between Dennis Mills and Bill McManus.

Cliff Edson stated that fear mongers don't scare him.

Robert Schufeldt expressed his opinion that there could be a collaborative process to regulate cannabis cultivation.

Pat Gordo, Burson, commented on the failure of the petition to exclude commercial marijuana cultivation and her opinion that County Counsel should have made the petitioners aware of the errors in the petition.

Megan Stedtfeld, County Counsel, clarified that her office does not provide legal counsel on public initiatives.

SUPERVISOR ANNOUNCEMENTS

In compliance with AB1234, chaptered as Government Code Section 53232.3(d), Board members shall provide brief reports on meetings they attended at the expense of the local agency at the next regular meeting of the legislative body. This report is required to include meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc.), but may also, at the Board members discretion, include any other meeting attended by the Supervisor on behalf of the County.

Supervisor Clapp had nothing to report.

Supervisor Mills attended the following meetings and events: Oakdale Irrigation Directors regarding creating a basin authority in the Lake Tulloch area; MCWRA regarding the impact of marijuana operations in the foothills; Poker Flat HOA; CCOG; CalWaste 90th anniversary dinner and the CSAC County Budget training.

Supervisor Tofanelli attended the CCOG meeting; noting that the City of Angels will contact the CAO to set a meeting date for their committee to discuss the potential transfer of the Transit system. He reported that he participated in the Tri-County Golf Tournament and his team shot 10 under par.

Supervisor Garamendi chose to forgo his report due to the late hour.

Supervisor Oliveira reported that he did an interview with PATV, attended the Sequoia Woods dinner, met with Tom Sullivan who will meet with constituents on his behalf. He also attended the NRA Benefit dinner and was the Master of Ceremony at a fundraiser for the grandson of one of his constituents.

The meeting was closed at 7:37 PM


Michael C. Oliveira, District 3 Supervisor 9/12/2017


Rebecca Turner, Clerk-Recorder 9/12/2017

ATTEST