

# CALAVERAS COUNTY BOARD OF SUPERVISORS

GARY TOFANELLI  
DISTRICT 1  
JOHN "JACK" GARAMENDI – VICE-CHAIR  
DISTRICT 2  
MICHAEL C. OLIVEIRA - CHAIR  
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

## December 12, 2017 REGULAR MEETING MINUTES

### CALL TO ORDER

The meeting was called to order at 8:00 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	

### CLOSED SESSION AGENDA

1. Pursuant to Government Code section 54957.6, personnel matter: conference with labor negotiator (Judy Hawkins, Director of Human Resources & Risk Management) re: Deputy Sheriff's Association (DSA), Sheriff's Management Unit (SMU), Service Employees International Union (SEIU), and Calaveras County Public Safety Employees Association (CCPSEA) negotiations; Board action:

*No reportable action was taken.*

2. Public Employment - pursuant to Government Code Section 54957 (b)(1): Economic Development Director; Board action:

The Board will convene to closed session regarding Item #2 at approximately 11:00 AM and return after the lunch break at approximately 1:30 PM

3. Conference with legal counsel - anticipated litigation – significant exposure to litigation, (one case) pursuant to Government Code section 54956.9 (d)(2); Board action:

*No reportable action was taken.*

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.

*Supervisor Mills announced a meeting of the Mark Twain Health Care District Board tomorrow at 7:30 AM at the San Andreas Library.*

### 9:31 AM: PUBLIC COMMENT - 30 MINUTES

George Fry commented on the upcoming vote regarding the provider of service at the Mark Twain Hospital.

Al Segalla commented on repealing the gas tax and he has a petition that can be used. He continued that there appears to be a problem with CCWD's finances.

Mary Ellen Souza, Director of Creative Support Alternatives, provided information regarding care for adults with intellectual and physical disabilities.

Patricia Gordo spoke of a book regarding drugs as weapons towards us.  
Bonnie Newman, Double Springs, continued her comments from last week regarding sexual misconduct.

**9:46 AM: CONSENT AGENDA**

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

4. Minutes of Board of Supervisors – Regular Meeting – Nov 14, 2017 8:00 AM
5. **BOARD OF SUPERVISORS** Approve the Calaveras Child Care Council Annual Membership Certification as recommended by the Calaveras Child Care Council (CCCC).
6. **CLERK/RECORDER** Reauthorization of the Social Security Number Truncation Program Fee
7. **PUBLIC WORKS** Authorize the Director of Public Works to execute Utility Agreement 15-UE-17 between Calaveras County and Pacific Gas and Electric Company (PG&E) to relocate power poles on O'Byrnes Ferry Road at Duchess Drive for an amount not to exceed \$220,666.
8. **PUBLIC WORKS** Authorize the Board Chair to execute an Improvement Agreement between Calaveras County and CD DG West Point, LLC to guarantee completion of improvements associated with Tentative Parcel Map 2016-002 (Dollar General).
9. Item Pulled from Consent
10. **ADMINISTRATIVE OFFICE** Approve a budget transfer to increase revenues and expenditures to receive the Calaveras Community Foundation grant funds in the amount of \$10,000.00. Requires 4/5 affirmative vote of the Board.
11. **ADMINISTRATIVE OFFICE** Adopt a Resolution accepting donation of land for County Airport Use, Execute Exh. D of Final Settlement Agreement (Grazing Lease), and authorize County Administrative Officer to execute the Donee Acknowledgment Section of Donor's IRS Form 8283.

**ITEMS PULLED FROM CONSENT**

**SHERIFF** Accept State of California Parks and Recreation Boating and Waterways Division law enforcement marine equipment grant in the amount of \$127,000, and authorize the Sheriff to sign the grant; authorize the transfer \$8,514 from Sheriff AB443 Funds (10100326) to Marine Safety Fund (10100360) to provide total funding in the amount of \$135,513 of which \$127,804 shall be capital funds for the purchase of a rescue and recovery sonar imagine submersible remote operating vehicle (ROV) for the Calaveras County Sheriff's Marine Safety Unit dive team.

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

**REGULAR AGENDA**

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

*Supervisor Garamendi and Supervisor Mills would like monthly reports to continue and include more information, not quarterly as asked by CAO Lutz. The reports will continue on a monthly basis.*

*Mel Knight nearing the end of structural debris removal and will continue with tree removal. Introduced Jeremy Denbow is an insurance specialist with Tetra Tech. Over \$5 million has been received for the insurance recovery program and an*

*additional \$600,000 to one million is expected related to these projects.*

*Jeff Crovitz, Public Works, stated that Public Works will continue to be the tree removal contact. He continues to be in contact with FEMA regarding funding and reimbursement.*

*The Board would like to have an Ad Hoc Committee established to formulate a Dig Once policy.*

*Sharon Torrence, Butte Fire Recovery Information Officer, provided a summary of her work over the past two years and announced that her last day as the PIO will be December 31st.*

*Her accomplishments included:*

- *Managed the Butte Fire Recovery Face Book - at the height of the recovery 987 followers*
- *Working with IT to develop a County Butte Fire Recovery Page  
-keeping the page current, accurate and updated*
- *Worked on the Release and advertising of CODE Red*
- *Press Releases - 243*

*Introduced the "Unsung Heroes of the Butte Fire" which was a weekly media event, and included "Calaveras County Employees".*

- *Press Interviews*
- *Media Events - 5*
- *Open House for Butte Fire Survivors - 28-participants from local businesses, State, Federal and County Departments with 150 Butte County Survivors attending*
- *Many Radio interviews both recorded and live*
- *Phone Calls literally hundreds*
- *Information Board (trap lines) - 7 locations*

*Worked with other agencies and groups including;*

- *FEMA*
- *CAL OES*
- *Local Fire Districts*
- *Calaveras Recovers*
- *Calaveras Realtors Assoc.*
- *Chamber of Commerce*

2:06 PM: Closed Session Report Out

The Board recessed for lunch and convened to closed session to discuss Item #2 at 11:20 AM and reconvened to Open Session at 2:00 PM, reporting the following:  
Public Employment - Pursuant to Government Code Section 54957(b)(1): Economic Development Director. The Board authorized the CAO to conduct reference checks and extend a conditional offer to the successful candidate pending background check. Upon successful completion of the background, the CAO will announce the name of the successful applicant.

13. **ADMINISTRATIVE OFFICE** Establish an Ad Hoc Committee for the Calaveras County Transient Occupancy Tax (TOT) review and appoint two Supervisors to said committee.

*Supervisor Clapp volunteered to participate in the committee, Supervisor Mills nominated Supervisor Oliveira to serve and Supervisor Tofanelli seconded the nomination. The targeted end date would be for a maximum of one year or when it goes on a ballot in June.*

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

14. **ADMINISTRATIVE OFFICE** Establish a Pension Liability Ad Hoc Committee to review potential pension pre-funding options and appoint two Supervisors to said committee.

*The Finance Committee consisting of the CAO, Auditor, Tax Collector and Assessor have discussed what needs to be addressed and would like an Ad Hoc Committee to be established to further vet the County's options.*

*Supervisors Tofanelli and Mills nominated each other to serve on the committee until December 31, 2018 to review potential pension liability.*

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

15. **OES** Receive a presentation regarding Tree Mortality Project Management.

16. **AB 109** Approve FY 2017-18 CCP Implementation Plan with Budget Adjustment. Pursuant to Section 1230.1(c) of the Penal Code, the plan shall be deemed accepted by the BOS unless rejected by a 4/5 vote.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Tofanelli, District 1 Supervisor
<b>SECONDER:</b>	John Garamendi, District 2 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

17. **PLANNING** Approve 2017-099 General Plan Amendment from Public Service to Commercial on APN: 018-007-043

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Garamendi, District 2 Supervisor
<b>SECONDER:</b>	Clyde Clapp, District 5 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

18. **PLANNING** Approve 2017-099 Zoning Amendment from PS-PD (Public Service - Planned Development) to C2-PD (General Commercial - Planned Development) on APN: 018-007-043

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Garamendi, District 2 Supervisor
<b>SECONDER:</b>	Clyde Clapp, District 5 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

### 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 attended the Area 12 meeting.*

*Supervisor Tofanelli attended RCRC as the alternate and the CCOG meeting. He reported that CCOG has been approved to receive planning/engineering grants for Valley Springs Elementary and Polk Street projects and beginning in 2018 and continuing for four years, CalTrans will spend approximately \$42 million in the County on a draft list of projects.*

*Supervisor Garamendi reported that he hosted the Sierra Nevada Conservancy on a tour of the Butte Fire scar.*

*Supervisor Oliveira attended Agenda Review, had contact with Paul DeBaldo regarding the Technical Education Program and attended a Law Library Board meeting. He announced that the Law Library will be digitized and moved to the San Andreas Library. He also attended the CCOG as a member of the audience, the Murphys Business Association meeting and a meeting with a Sheriff's Office volunteer regarding Neighborhood Watch in Murphys.*

The meeting was closed at 3:13 PM

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

  
Rebecca Turner, Clerk-Recorder 12/12/2017

ATTEST