

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

October 23, 2018 REGULAR MEETING MINUTES

CALL TO ORDER

The meeting was called to order at 8:00 AM by District 1 Supervisor Gary Tofanelli

| 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 54956.9 (d)(1): conference with legal counsel re: existing litigation: County of Calaveras v. Pacific Gas & Electric Company, et al., San Francisco County Superior Court Case No. CGC-18-564465; Board action:
There was no reportable action taken.
2. Conference with Labor Negotiator. Pursuant to Government Code sec. 54957.6, conference with County designated labor negotiator Judy Hawkins, regarding employee organization Service Employees International Union; Board action:
There was no reportable action 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.

Report of October 16, 2018 Closed Sessions:

12. *Conference with legal counsel; anticipated litigation - significant exposure to litigation, (two cases) pursuant to Government Code section 54956.9(d)(2).*

There was no reportable action taken.

13. *Pursuant to Government Code section 54956.9(d)(1), conference with legal counsel re: existing litigation: Calaveras Cannabis Legal Defense Fund, et al. vs. County of Calaveras, et al., Calaveras Superior Court Case No. 18CV43043.*

There was no reportable action taken.

14. *Conference with legal counsel; anticipated litigation - significant exposure to litigation, (one case) pursuant to Government Code section 54956.9(d)(2).*

There was no reportable action taken.

Supervisor Garamendi announced the Town Hall meeting on Thursday in Mountain Ranch to discuss tree mortality issues.

Supervisor Mills announced the November 11th Veterans Day Parade in Copperopolis.

9:20 AM: PUBLIC COMMENT - 30 MINUTES

Gary Caldwell, Valley Springs, asked the Board to adopt a resolution similar to that recently adopted by CCOG to oppose Prop 6.

Carl Stoughton asked if the supervisors knew which newspaper was the County's newspaper of record. He noted that the County Counsel's contract is due to be considered in November and asked that the Board consider Julie Moss-Lewis for the position.

Will Moore, Valley Springs, apologized to the Board for his comments at a previous meeting when he implied the Board was participating in a land grab scheme and has since obtained information proving that there was no potential gift of public lands, as he had originally thought.

Bonnie Newman, Double Springs, commented on Double Springs Road and Gillam Road.

Propanna Randall Smith, District 3, commented on sales tax in the county.

Kathi Toepel, Common Ground Senior Services, commented on the recent proclamation against workplace bullying.

Marti Crane provided the definition of a whisper campaign.

Vicky Reinke expressed her opinion that whisper campaigns should stop.

Neal McKeown remarked on no economic growth and revenue in the county.

Chris Joncoaltz, District 2, is concerned with the lack of facts associated with where the county population stands on commercial cannabis cultivation and on the impact of the Ban on the generation of sales tax.

Trent Fiorino pointed out that after every natural disaster, sales tax increases as damage is repaired, then it falls off. He doesn't feel that cannabis cultivation is the answer to all of the County's economic concerns.

Tom Griffing commented on the Board's approach to finding new revenue.

Janice Bassett, Valley Springs, Nov 3 Calaveras Talent Show benefiting the schools.

CONSENT AGENDA

3. has been moved to Items Pulled from Consent
4. 4074 has been moved to Items Pulled from Consent
5. 4084 has been moved to Items Pulled from Consent
6. 4085 has been moved to Items Pulled from Consent
7. 4082 has been moved to Items Pulled from Consent
8. 4083 has been moved to Items Pulled from Consent
9. 4050 has been moved to Items Pulled from Consent
10. 4077 has been moved to Items Pulled from Consent
11. 3957 has been moved to Items Pulled from Consent
12. 4078 has been moved to Items Pulled from Consent
13. 4087 has been moved to Items Pulled from Consent
14. 4022 has been moved to Items Pulled from Consent
15. 4023 has been moved to Items Pulled from Consent
16. 4024 has been moved to Items Pulled from Consent

17. 4025 has been moved to Items Pulled from Consent

ITEMS PULLED FROM CONSENT

Carl Stoughton had requested the removal of all items on the Consent Agenda except for Items 6, 9 and 13 which were pulled by Supervisors Mills and Tofanelli. Mr. Stoughton then withdrew his request.

Minutes of Board of Supervisors – Regular Meeting – Oct 16, 2018 9:00 AM

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

PUBLIC WORKS (ID # 4074) Authorize the Board Chair to execute Amendment 03 to an Agreement with Quincy Engineering, Inc for construction engineering services for the Rail Road Flat Road over Esperanza Creek Bridge Project, Federal-Aid No. BRLS-5930(037).

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

PUBLIC WORKS (ID # 4084) Authorize the Purchasing Agent to piggyback on Sourcewell contract 061015-RRL with Vehicle Services Group, LLC/Rotary Lift for the acquisition of two (2) heavy duty surface lifts including heavy duty rolling jacks and installation in an amount not to exceed \$66,911.00, plus applicable sales tax.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

ECONOMIC DEVELOPMENT 20181023r199 Adopt a Resolution supporting the Calaveras Healthy Impact Product Solutions (CHIPS) Wilseyville Biomass Project.

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

PUBLIC HEALTH SERVICES (ID # 4082) Authorize the Director of Health and Human Services Agency to 1) sign the Acceptance of Allotment for the California Department of Public Health (CDPH) Tuberculosis Prevention and Control funding in the amount of \$6,151 for Fiscal Year (FY) 2018-19; and 2) accept subsequent allotments, so long as a single allotment does not exceed \$10,000 and the total annual Tuberculosis allotment for FY 2018-19 does not exceed \$20,000.

RESULT: APPROVED [UNANIMOUS]
MOVER: Clyde Clapp, District 5 Supervisor
SECONDER: Dennis Mills, District 4 Supervisor
AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

PUBLIC HEALTH SERVICES (ID # 4083) Authorize the Director of the Health and Human Services Agency to: 1) Sign the Acceptance of Allocation Agreement for tobacco prevention and education funds resulting in revenue of up to \$302,415 for the period of July 1, 2018 through June 30, 2019; and 2) Sign the associated quarterly prospective payment invoices for the period of July 1, 2018 through June 30, 2019, to receive the allocated funds.

RESULT: APPROVED [UNANIMOUS]
MOVER: Clyde Clapp, District 5 Supervisor
SECONDER: Dennis Mills, District 4 Supervisor
AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

HEALTH AND HUMAN SERVICES AGENCY (ID # 4050) Authorize 1) the discharge of uncollectible debt for one Community Development Block Grant (CDBG) and three HOME loans in an aggregate amount of \$404,908.83; 2) a budget transfer requiring a 4/5 affirmative vote to increase the appropriate line item to allow the Auditor-Controller to process the discharge of debt; and 3) the Auditor-Controller to discharge the aforementioned debt in our financial system.

RESULT: APPROVED [UNANIMOUS]
MOVER: Clyde Clapp, District 5 Supervisor
SECONDER: John Garamendi, District 2 Supervisor
AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

BEHAVIORAL HEALTH SERVICES - SUBSTANCE ABUSE PROGRAM 20181023r194 Authorize 1) the Board Chair to sign Agreement Number 17-94176 to allow the Health and Human Services Agency to provide Drug Medi-Cal services for substance abuse treatment with the California Department of Health Care Services for the period of July 1, 2017 through June 30, 2020, resulting in revenue of up to \$534,000 and 2) the Director of the Health and Human Services Agency to sign subsequent amendment(s), if any, so long as it does not result in an increase of revenue under this agreement.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Clyde Clapp, District 5 Supervisor
SECONDER: Dennis Mills, District 4 Supervisor
AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 3957) Authorize the Board Chair to approve the MHSA Updated Reversion Plan for Fiscal Year 2017-2018 through Fiscal Year 2019-2020.

RESULT: APPROVED [UNANIMOUS]
MOVER: Clyde Clapp, District 5 Supervisor
SECONDER: Dennis Mills, District 4 Supervisor
AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

OES 20181023o3102 Adopt an Ordinance repealing Chapter 2.72 of the Calaveras County Code, entitled "Disaster Council" in its entirety and replacing it with a new Chapter 2.72 entitled "Emergency Organizations and Functions".

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

ADMINISTRATIVE OFFICE (ID # 4087) 1. Make findings that an emergency exists and that action is necessary to respond to such emergency; 2. Dispense with competitive bidding requirements pursuant to County Ordinance Title 3, Chapter 3.29 and Chapter 2.5 Emergency Contracting Procedures, Section 22050 of the Public Contract Code; and 3. Authorize the Purchasing Agent to let an emergency contract with All Sierra Roof Company, Inc. of Jackson, CA for emergency repairs to the roofs of buildings A, D, & E of the County Government Center Campus. This requires a 4/5th vote of the Board.

Supervisor Clapp made a motion to approve the request, which died for lack of a second.

Supervisor Tofanelli polled the Board regarding withdrawing the item and having Staff bring it back at the November 6th meeting. The Board unanimously concurred.

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| RESULT: | WITHDRAWN |
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ADMINISTRATIVE OFFICE 20181023r195 Adopt a Resolution continuing a Local State of Emergency on Tree Mortality.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

ADMINISTRATIVE OFFICE 20181023r196 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.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

ADMINISTRATIVE OFFICE 20181023r197 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.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

ADMINISTRATIVE OFFICE 20181023r198 Adopt a Resolution continuing the Local State of Emergency for the Butte Fire.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Clyde Clapp, District 5 Supervisor |
| SECONDER: | Dennis Mills, District 4 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

REGULAR AGENDA

18. **ADMINISTRATIVE OFFICE (ID # 4069)** Receive a presentation from the Area 12 Agency on Aging updating the Board on current activities and issues.

19. **AGRICULTURE (ID # 4080)** Receive UCCE Farm Advisor Susan Kocher's presentation on Prescribed Fire in California.

The Board recessed for lunch at 1:15 PM and reconvened at 2:15 PM.

20. **HUMAN RESOURCES 20181023r200** Adopt a Resolution authorizing changes to the Department Analyst and Senior Department Analyst job descriptions.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Michael C. Oliveira, District 3 Supervisor |
| SECONDER: | Clyde Clapp, District 5 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

21. **CLERK OF THE BOARD OF SUPERVISORS (ID # 4097)** Select one member of the Board of Supervisors to act as the 2019 CSAC Representative and one member to act as the Alternate for the CSAC Association Year beginning November 27, 2018.

The Board unanimously agreed to have the current CSAC Representative, Michael C. Oliveira, and the current Alternate, Jack Garamendi, continue until assignments are made at the first meeting in January 2019.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dennis Mills, District 4 Supervisor |
| SECONDER: | Michael C. Oliveira, District 3 Supervisor |
| AYES: | Tofanelli, Garamendi, Oliveira, Mills, Clapp |

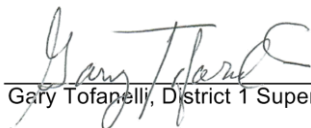
SUPERVISOR ANNOUNCEMENTS

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 Oliveria attended the Mother Lode Job Training JPA and the Central Sierra Child Support meeting.

Supervisor Mills took a tour of the CCWD facilities in West Point and the CPUD facilities.

The meeting was closed at 2:25 PM


 Gary Tofanelli, District 1 Supervisor

10/23/2018


 Rebecca Turner, Clerk-Recorder

10/23/2018

ATTEST