

CALAVERAS COUNTY BOARD OF SUPERVISORS

GARY TOFANELLI
 DISTRICT 1
 JOHN "JACK" GARAMENDI
 DISTRICT 2
 MERITA CALLAWAY - CHAIR
 DISTRICT 3
 DENNIS MILLS
 DISTRICT 4
 BENJAMIN STOPPER – VICE CHAIR
 DISTRICT 5



ALBERT ALT
 COUNTY ADMINISTRATIVE OFFICER
 SARAH EDWARDS
 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 8, 2020 REGULAR MEETING MINUTES

8:00 AM: Call to Order and Pledge of Allegiance

Attendee Name	Title	Status	Arrived
Merita Callaway	District 3 Supervisor	Present	
Benjamin Stopper	District 5 Supervisor	Present	
Gary Tofanelli	District 1 Supervisor	Present	
John Garamendi	District 2 Supervisor	Present	
Dennis Mills	District 4 Supervisor	Present	

To give public comment, call one of the following phone numbers. If you get a busy signal on the first number, please try another. (669)900-9128 or (253)215-8782 or (346)248-7799.

ID: 853 6770 0769 Password: 908049

Upon joining the meeting, your audio will be muted until the appropriate time to make your comment. After your comment, you will be removed from the meeting. Please note that the telephone numbers are for making comments, not monitoring the meeting.

CLOSED SESSION AGENDA

- Conference with real property negotiator Joshua Pack pursuant to Govt. Code § 54956.8 regarding price and terms of payment for the following properties affected by the State Route 4 Wagon Trail Realignment Project, Phase I. County negotiators are Joshua Pack and Dokken Engineering, Inc.
 - Gregory D. Jordan and Nuala M. Jordan, Trustees, Jordan Revocable Trust, APN 053-002-050;
 - Wendell F. Ender and Mary L. Ender, APN 053-002-051;
 - Steven L. Strange and Gloria Stange, Trustees, Steven L. and Gloria Stange Revocable Trust, APN 053-002-053;
 - Scott Frazier, APN 053-007-023;
 - Edward R. Titus and Erlinda C. Titus, Trustees, Titus Revocable Living Trust, APN 053-007-024;
 - Tiscornia Ranches, LP, APNs 053-001-018, 052-001-019, 053-007-011, 053-007-031.

Board Action: There was no reportable board action taken.
- Conference with legal counsel; exposure to litigation (one case), pursuant to Government Code § 54956.9(d)(2).

Board Action: There was no reportable board action taken.

Staff Announcements

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

Lisa Medina, announced Calaveras County's Annual Residential Hazardous Community Event will start on September 12th and end on September 13th from each day the event will be from 9 am to 1 pm. On Saturday, September 12 the event will be held in two locations Government Center in San Andreas, and in Arnold at the County Road Yard, Sunday September 13th the event will be held in West Point at the Cal Trans Yard. She also informed the Board of the upcoming free drive-thru rabies vaccination clinic on Saturday, September 19th from 9 am-12 pm at Spence Ranch Feed & Supply.

Report of August 25, 2020, closed session item:

28. Pursuant to Government Code Section 54956.9 (d)(1): conference with legal counsel re: existing litigation: California Sportfishing Protection Alliance v. Eastern San Joaquin Groundwater

Subbasin Sustainability Plan, et al. - Stanislaus County Superior Court Case No. CV-20-001720;

Board action: There was no reportable board action taken.

REGULAR AGENDA

3. **PUBLIC HEALTH SERVICES (ID # 5519)** Receive an update presentation from staff on COVID-19 (novel coronavirus).

County Public Health Officer, Dr. Kelaita provided an update on COVID-19, below is his update:

Statewide California has reported 740,000 confirmed COVID-19 cases with 13,700 fatalities.

Calaveras County public health confirms 273 coronavirus cases with now 2 deaths. PH is in the process of confirming several additional suspect COVID-19 deaths in connection to the outbreak at Avalon San Andreas skilled nursing home.

An outbreak of COVID-19 infections continues to develop in Avalon San Andreas convalescent facility after the initial identification of an asymptomatic staff member working at the facility was picked up on routine surveillance testing on July 22th. To date infections in 52 residents and 21 staff members have been confirmed through enhanced testing of all residents and care staff. This represents the most significant challenge to our community posed by the pandemic to date. The mortality rate among nursing home residents has been significant in other similar settings throughout the country. Last week Avalon reported 5 deaths associated with the increasing incidence of positive cases. Public health is in the process of officially verifying the exact causes of death for at least 6 individuals associated with the Avalon outbreak. As of today, our official death count for Calaveras stands at 2 deaths. PH will release updated statistics as they become available.

At this time positive residents at Avalon are being temporarily placed in a COVID-19 Unit for isolation within the facility until recovered so as to prevent ongoing transmission to other residents within the facility. The facility's infection prevention staff has been working closely with our public health department and consultation with the California Department of Public Health is also been engaged. CDPH has dispatched a Rapid Response Team to pay a site visit to the facility and provide

infection prevention guidance and technical assistance. The facility is undergoing close surveillance for the prompt identification of any new cases in the residents and staff and scaled up infection prevention activities will continue. We are in regular communication with MTMC regarding this situation and the potential need for additional space for hospital admissions.

There are currently 4 Calaveras County residents hospitalized. Local hospital capacity remains adequate and ventilator availability is at 100%. Doug Archer will comment on the hospital implications and role during the COVID-19 pandemic.

Governor Newsom unveiled Friday August 28th that the Blueprint for a Safer Economy would replace the County Data Monitoring List for determining what business can or cannot open in

California. Every county in California has been assigned to a tier based on its rate of new cases

least 3 weeks before moving forward. Data is reviewed weekly and tiers are updated on Tuesdays. To move forward, a county must meet the next tier's criteria for two consecutive weeks. If a County's metrics worsen for two consecutive weeks; it will be assigned a more restrictive tier. The tiers are: purple (widespread), substantial (red), moderate (orange), and minimal (yellow).

Calaveras County is currently in the Substantial (red) tier, which means that starting Monday August 31, 2020, some non-essential indoor business operations will be open and some will be closed. Under this new framework, many recently closed businesses may resume activity with modifications. For example, dine-in restaurant services may resume indoors at a maximum 25% capacity or 100 people, whichever is fewer. Likewise, movie theaters can open at 25% capacity. Hair salons and barbershops, personal services such as tattoo, massage and cosmetology may also open with modifications. Gyms and fitness centers can resume indoor operation with capacity limited to 10%.

The best ways to avoid exposure to the virus are to:

- Stay home if you are sick*
- Stay at least 6 feet away from people outside of your household*
- Wash your hands often with soap and water for at least 20 seconds*
- Avoid touching your eyes, nose, and mouth with unwashed hands*
- Wear a face covering over your nose and mouth when around others.*

No-cost testing for COVID-19 is available to anyone who would like to get tested. The OptumServe COVID-19 testing site located at the Calaveras County Fairgrounds is open Tuesday-Saturday from 7:00 A.M. to 7:00 P.M. Testing is now available to those age 3 and older. People are highly encouraged to register online. People without Internet access should call (888) 634-1123. To receive information and resources related to COVID-19 visit the Calaveras County COVID-19 website.

We must remain cautious in how we move forward. To continue in a positive direction, the public is urged to continue to wear face masks, keep six feet apart, get

tested, wash hands often, and stay home if sick. Avoid any gatherings if physical distancing and mask wearing cannot be followed. There is no doubt that our current situation is further strengthened when we work together to help in the fight against COVID-19 and keep us off the monitoring list.

Please view the meeting video to hear public comments made on this item.

Below are written comments received on this item

Submitted by: Al Segalla

Item 3, Covid 19 - Masks

Several months ago I purchased a medicated reusable mask. The antiviral mask uses copper oxide as an antiseptic. There are other similar types on the market now that are tested at 99% effective. These masks protect the wearer against the virus. This is very important as the current masks only reduce the spread from infected people. The protective masks should be used by all that are in danger. Why not?

Immune System Protections

It was recently reported that lack of vitamin D might increase risk of catching Covid 19 by as much as 77%.(JAMA). But that is not all, according to the Linus Pauling Institute there are many more vitamins and minerals vital to a healthy immune system.

How many of our senior citizens have been tested for immune conditions? None? Why not?

How many doctors have recommended that this be done for their patients? None? Why not?

RECOGNITION AND ACKNOWLEDGEMENTS

- 4. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 5511)** Proclaim the Month of September 2020, as Suicide Prevention Awareness Month in the County of Calaveras, recognizing the role of promoting awareness and resources around suicide prevention.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benjamin Stopper, District 5 Supervisor
SECONDER:	John Garamendi, District 2 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

GENERAL PUBLIC COMMENT - 30 MINUTES

Please view the meeting video for public comments made at this time.

CONSENT AGENDA

- 5. Minutes of Board of Supervisors – Special Meeting – Aug 18, 2020 9:00 AM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

- 6. Minutes of Board of Supervisors – Special Meeting – Aug 18, 2020 1:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

7. **HUMAN RESOURCES 20200908r104** Adopt a Resolution approving a Side Letter Agreement with Calaveras County Public Safety Employee Association (CCPSEA) extending the Memorandum of Understanding to December 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

8. **HUMAN RESOURCES 20200908r105** Adopt a Resolution approving a Side Letter Agreement with Deputy Sheriff's Association extending the Memorandum of Understanding to December 31, 2020.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

9. **HUMAN SERVICES (ID # 5524)** Authorize the Board Chair to execute Amendment 02 to the Good Guard Security, Inc. Agreement for the provision of security services related to Project Room Key, increasing the not to exceed amount from \$125,000 to \$226,370 for actual services rendered and extending the term of the Agreement through January 31, 2021, to be utilized on an as needed basis.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

10. **HUMAN SERVICES (ID # 5527)** 1) Authorize the Board Chair to execute a Memorandum of Understanding with Dignity Health to receive a donation of \$282,000 in revenue to continue administering Project Roomkey; and 2) Authorize the Director of the Health and Human Services Agency to sign any necessary documents required to receive the donation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

11. **PUBLIC WORKS (ID # 5513)** 1) Award Invitation to Bid 20-0940-01-912 for Construction Services for the 2017 Winter Storms Canyon View Drive Repair Project; 2) Authorize the Board Chair to execute a contract with Sierra Mountain Construction, Inc. for construction of the Canyon View Drive Repair Project in an amount not to exceed \$1,063,036; and 3) Authorize the Director of Public Works to execute Contract Change Orders in an amount not to exceed \$65,651.80 in aggregate, consistent with Calaveras County Code §3.29.026.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

12. **PUBLIC WORKS (ID # 5515)** 1) Award Invitation to Bid 20-0920-03-912 for Construction Services for the 2017 Winter Storms Gwin Mine Road Repair Project; 2) Authorize the Board Chair to execute an Agreement with Sierra Mountain Construction, Inc. for construction of the Gwin Mine Road Repair Project in an amount not to exceed \$919,050; and 3) Authorize the Director of Public Works to execute Contract Change Orders in an amount not to exceed \$58,452.50 in aggregate, consistent with Calaveras County Code §3.29.026.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

13. **PLANNING (ID # 5525)** Authorize the Planning Department to issue a full refund of \$7,006.00 for 2020-045 Russ Daly Zoning Amendment for withdrawal of project pursuant to County Code Section 17.99.021(B).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

14. **AUDITOR/CONTROLLER 20200908r106** Adopt a Resolution Establishing Ad Valorem Property Tax Rates for Fiscal Year 2020-21.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

15. Item Pulled from Consent

REGULAR AGENDA - PART 2

16. **ADMINISTRATIVE OFFICE (ID # 5532)** Board letter to California Governor Gavin Newsom
Supervisor Stopper requested a letter be drafted to the Governor. He recommending that the letter include that rural areas set their own definitions for businesses. After further discussion Supervisor Callaway offered to submit requests through RCRC. Supervisor Stopper made the motion retracted the request to write a letter, second by Supervisor Mills 5-0 (Ayes -Callaway, Stopper, Tofanelli, Garamendi, and Mills, Nays-0)

A written public comment was received from Al Segalla:

Item 16, Letter to Governor regarding Covid 19 "Orders"

Maybe a declaration of emergency would not supersede the constitutional protections of the peoples rights. This could mean an "order" should become a recommendation. Simple solution. Let's preserve our free society. Why not?

The Board recessed for lunch at 11:42 AM and reconvened at 1:00 PM.

RESULT:	WITHDRAWN
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17. **ADMINISTRATIVE OFFICE (ID # 5521)** Conduct the FY 2020-21 County Budget Hearings and direct Staff to return on September 22, 2020 with the County Budget Resolutions.

The Board heard presentations from Environmental Health regarding replacement of the weight truck and from the County Sheriff. After Board discussions the budget hearing was continued to the following day.

RESULT:	TABLED [UNANIMOUS]
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Next: 9/9/2020 9:00 AM

MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

18. **PUBLIC WORKS (ID # 5512)** 1) Award RFP 20-0940-02-925 for the construction management of the Canyon View Drive Repair Project; 2) Authorize the Board Chair to execute an Agreement with UNICO Engineering, Inc. for Construction Management Services related to the Canyon View Drive Repair Project resulting from 2017 winter storms in an amount not to exceed \$264,120.02 for the term of September 8, 2020 through December 31, 2021; and 3) Authorize the Auditor-Controller to process associated budget transfers increasing budget appropriations for the construction management and construction of the Canyon View Drive Road Repair Project requiring a 4/5 affirmative vote of the Board.

RESULT:	TABLED [UNANIMOUS]
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Next: 9/9/2020 9:00 AM

MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

19. **PUBLIC WORKS (ID # 5514)** 1) Award RFP 20-0920-04-925 for the construction management of the Gwin Mine Road Repair Project; 2) Authorize the Board Chair to execute an Agreement with UNICO Engineering, Inc. for Construction Management Services related to the Gwin Mine Road Repair Project resulting from 2017 winter storms in an amount not to exceed \$251,977.89 for the term of September 8, 2020, through December 31, 2021; and 3) Authorize the Auditor-Controller to process associated budget transfers increasing budget appropriations for the construction management and construction of the Gwin Mine Road Repair Project requiring a 4/5 affirmative vote of the Board.

RESULT:	TABLED [UNANIMOUS]
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Next: 9/9/2020 9:00 AM

MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

20. **ADMINISTRATIVE OFFICE (ID # 5548)** Calaveras County Fire Districts JPA request for funding for ground ambulance services

The Chair moved item 20 to be heard before item 16. The Board heard a presentation from the Calaveras County Fire District JPA, requesting funding for ground ambulance services. The Board requested to see a business plan, before funding. Before taking action on this item the Board moved it to be included in part of the budget discussion and will take action after budget discussions.

No public comment was heard on this item.

RESULT:	TABLED [UNANIMOUS]
	Next: 9/9/2020 9:00 AM
MOVER:	Gary Tofanelli, District 1 Supervisor
SECONDER:	Benjamin Stopper, District 5 Supervisor
AYES:	Callaway, Stopper, Tofanelli, Garamendi, Mills

SUPERVISOR ANNOUNCEMENTS

In compliance with Govt. Code § 53232.3(d), Board members shall provide brief reports on any meetings attended at the expense of the local agency, and may make other announcements or report out.

Supervisor announcements were continued to the following day.

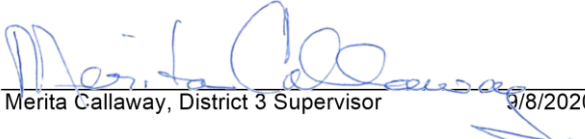
ITEMS PULLED FROM CONSENT AGENDA

- 21. **DISTRICT 3 (ID # 5551)** Authorize the Board Chair to sign a letter of support for S. 4431, the Emergency Wildfire and Public Safety Act, on behalf of the Board of Supervisors.

Supervisor Mills pulled this item from consent, he mentioned his concern that a conversation with the Forest Service should be had before drafting a letter. He also requested the "S" be added to Murkowski(sp) Supervisor Garamendi made the motion to move the item, however the item died for lack of a second.

RESULT:	NO ACTION TAKEN
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The meeting was closed at 5:10 PM


 Merita Callaway, District 3 Supervisor 9/8/2020


 Rebecca Turner, Clerk to the Board 9/8/2020

ATTEST