

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

June 27, 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

- Pursuant to Govt. 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 action was taken.
- Conference with legal counsel; anticipated litigation – significant exposure to litigation, (one case) pursuant to Government Code section 54956.9 (d)(2); Board action:
On a motion by Supervisor Garamendi and a second by Supervisor Oliveira, the Board unanimously directed staff to execute a full release and agreement between the County and Farm Sanctuary.

Pledge of Allegiance

Announcements

RECOGNITION AND ACKNOWLEDGEMENTS

- BOARD OF SUPERVISORS** Adopt a Proclamation recognizing the achievements of Ryan Heryford.

**Motion by District 3 Supervisor Oliveira. Second by District 1 Supervisor Tofanelli.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

9:11 AM: PUBLIC COMMENT - 30 MINUTES

Bonnie Newman, Double Springs, continued telling her story of Double Springs.

Bill Wilson, District 1, commented on potential loss of revenue associated with banning cannabis cultivation.

Leslie Davis, County Assessor, reported that the 2017 is in the process of being closed now. The total assessment is \$6.682 billion net.

Pat Gordo, Burson, read a letter from Citizens Against Legalizing Marijuana (CALM).

Beth Wittke, District 2, refuted the comments of the previous speaker and asked how much Measure C tax dollars have been collected to date.
Susan Morse read the names of organizations supporting the comments from CALM.
Ben Stopper, District 5, thanked CAO Lutz for his work in the past few months.
Cliff Edson, District 1, stated his anticipation for the County's fiscal issues to be figured out.
George Fry, District 1, thanked the Board for hiring CAO Lutz and appreciated his approach to the Budget.

9:36 AM: CONSENT AGENDA

4. Minutes of Board of Supervisors – Regular Meeting – Jun 13, 2017 8:00 AM
5. Minutes of Board of Supervisors – Regular Meeting – Jun 14, 2017 9:00 AM
6. Minutes of Board of Supervisors – Regular Meeting – Jun 15, 2017 9:00 AM
7. **CODE COMPLIANCE** Uphold Administrative Citation 2017-006 and Fines imposed for Code Compliance Case #1663 regarding the property located at 8429 Sparrowk Road in Valley Springs, CA, authorize abatement, a lien for administrative and abatement costs, and imposition of fines.
8. Item Pulled from Consent
9. Item Pulled from Consent
10. **PUBLIC WORKS** Approve an increase to the Blanket Purchase Order for Holt of California for an additional \$20,000 and a not to exceed amount of \$140,000.
11. Item Pulled from Consent
12. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM** Authorize the Board Chair to execute amendment 02 to an Agreement with LocumTenens.com for the provision of psychiatry services increasing the maximum amount payable from \$700,000 to \$785,000 and extending the term by three months, resulting in a new expiration date of September 30, 2017.
13. **HUMAN RESOURCES** Adopt a Resolution approving changes and the extension of the Deputy Sheriff's Association MOU expiration from June 30, 2017 to December 31, 2017.
14. **BOARD OF SUPERVISORS** Approve an amendment to the Conflict of Interest Code for the Calaveras County Water District.
15. **ADMINISTRATIVE OFFICE** Approve a Plan of Cooperation and Workstation Sublease Agreement between Calaveras County and Central Sierra Child Support Agency for the period of July 1, 2017 - June 30, 2020.
16. Item Pulled from Consent
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.
20. **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.

9:37 AM: Items Pulled from Consent

SHERIFF Authorize the Sheriff to Execute Intergovernmental Contract with Bureau of Reclamation, Department of Interior, in the amount of \$154,420 for Law Enforcement Services at New Melones Lake from June 1, 2017 through May 31, 2018.

**Motion by District 1 Supervisor Tofanelli. Second by District 4 Supervisor Mills.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

SHERIFF Execute an agreement with Teleosoft Inc. for a new Sheriff's Civil Administration System and maintenance agreement and to approve capital allocations in the amount not to exceed \$56,551. This action requires a 4/5th vote.

**Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

PUBLIC WORKS Approve the Professional Services Agreement between Calaveras County and Brad Sutton Trucking, Inc. for Commercial Truck Hauling Services to exercise the option for renewal of this Agreement for Year 4 for the annual not to exceed amount of \$125,000 and a term ending June 30, 2018.

**Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

ADMINISTRATIVE OFFICE Authorize the Board Chair to sign a letter of opposition to Assembly Bill 1250 (Jones-Sawyer).

**Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

REGULAR AGENDA

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

Reports were received from Jeff Crovitz, Public Works; Mel Knight, Debris and Tree Removal; Leslie Davis, Assessor; and Sharon Torrence, Butte Fire Recovery Public Information Officer.

Motion by . Second by . No Vote by the below result.

22. **TREASURER-TAX COLLECTOR** Approve a resolution for Discharge of Accountability for certain Delinquent Unsecured tax bills incorporating unpaid Personal Property bills, Mobile Homes, and Supplemental Unsecured bills for Fiscal Years 2010-2011 through 2012-2013.

**Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli.
[Unanimous] Tabled by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

23. **SHERIFF** Accept donations from the Friends of the Calaveras County Sheriff's Office totaling \$16,064.51 & recognition of their continued support of the County Sheriff's Office.

**Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

24. **SHERIFF** Adopt a Resolution to relocate the county-owned badge of Sheriff Benjamin Kent Thorn from the County Treasurer's Office to the County Sheriff's Office.

Motion by District 2 Supervisor Garamendi. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

25. **BOARD OF SUPERVISORS** Appointment of applicants to serve on various Committees, Commissions, Advisory Boards and County Service Areas.

**Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

26. **BUILDING** Authorize the CAO to execute an agreement with Superior to develop and implement a new electronic permit tracking system in the amount not to exceed \$494,610 not to exceed 60 months from date of execution.

Ed Sort, Building Official, requested the item be withdrawn to allow for some clarification in the agreement. The Board concurred and the item will be brought back at a future date.

27. **PUBLIC WORKS** Authorize the purchase of a temporary bridge to be used to re-open Blagen Road (Main Street) in White Pines crossing over Big Trees Creek from Acrow Bridge for a not to exceed amount of \$89,000.

**Motion by District 1 Supervisor Tofanelli. Second by District 4 Supervisor Mills.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

28. **PUBLIC WORKS** Conduct a Public Hearing and adopt a Resolution to abandon (vacate) a 50-foot "Future Street" on the Subdivision Map of Lakemont Pines, Unit 3 between Lot 400 and Lot 401.

**Motion by District 5 Supervisor Clapp. Second by District 1 Supervisor Tofanelli.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

29. **PUBLIC WORKS** Convene a Public Hearing to consider Calaveras Transit system changes to improve the farebox recovery ratio and approve a Resolution to: a) eliminate the Delta Gold Line transit service between Calaveras County and Stockton as of July 28, 2017; b) direct the Director of Public Works to send a letter to Caltrans to terminate the FTA Section 5311f grant after July 28, 2017, and c) support the weekly operation of the Saturday Hopper in FY 2017/18 within the limits of available funding.

**Motion by District 4 Supervisor Mills. Second by District 2 Supervisor Garamendi.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

30. **ADMINISTRATIVE OFFICE** Approve the issuance of Series C Bonds for the Bret Harte Union High School District, in an amount not-to-exceed \$750,000.

**Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

31. **ADMINISTRATIVE OFFICE** Authorize the Board Chair to sign a letter of support for Congressman McClintock's call for the USFS to expedite the reopening of forest service roads including New Spicer Reservoir and Board Crossing Roads.

**Motion by District 1 Supervisor Tofanelli. Second by District 4 Supervisor Mills.
[Unanimous] Approved by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

32. **ADMINISTRATIVE OFFICE** FY 2017-18 Recommended Budget

Motion by District 2 Supervisor Garamendi. Second by District 5 Supervisor Clapp. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

33. **ADMINISTRATIVE OFFICE** Adopt a Resolution approving Fiscal Year 2017-18 Recommended Budget for Districts Governed by the Board of Supervisors.

Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

34. **ADMINISTRATIVE OFFICE** Adopt a Resolution approving Fiscal Year 2017-18 Recommended Budget for the certain County Designated Funds.

Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

35. **ADMINISTRATIVE OFFICE** Adopt a Resolution authorizing the purchase of certain Capital Assets at Fiscal Year 2017-18 Recommended Budget

Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

36. **ADMINISTRATIVE OFFICE** Adopt a Resolution approving Fiscal Year 2017-18 Recommended Budget for the Air Pollution Control District

Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

37. **ADMINISTRATIVE OFFICE** Adopt a Resolution approving Fiscal Year 2017-18 Recommended Budget for the In Home Supportive Services Public Authority.

Motion by District 2 Supervisor Garamendi. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

38. **HUMAN RESOURCES** Adopt a Resolution authorizing changes to the Position Control List for Fiscal Year 2017/18 Recommended Budget effective July 8, 2017.

Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

39. **PLANNING** Conduct a Public Hearing and adopt a Resolution upholding the Planning Commission's denial of the appeal of the Planning Director's denial of Commercial Cannabis Registration 2016-717 for James Hanson on APN: 046-017-098 (File 2016-717).

Motion by District 1 Supervisor Tofanelli. Second by District 2 Supervisor Garamendi. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

40. **PLANNING** Conduct a Public Hearing and adopt a Resolution upholding the Planning Commission's denial of the appeal of the Planning Director's denial of Commercial Cannabis Registration (2016-827) for Joshua Moore at a site approximately two miles north of State Highway 4 at the Stanislaus and Calaveras County line. APN 050-036-003

The motion was to deny the appeal and revise the resolution to include the following statement, "Failure by the appellant to procure counsel to represent him at the Planning Commission hearing stage, or the mere possibility of new counsel discovering additional evidence favorable to his client in the future, poses an insufficient basis to require the Board of Supervisors to grant a continuance and/or remand the matter back to the Planning Commission to consider newly discovered information pursuant to 17.98.070(B)."

**Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp.
[Unanimous] Adopted by the below result.**

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

SUPERVISOR ANNOUNCEMENTS

In compliance with AB 1234, chaptered as Government code Section 53232.3(d), this is the time for board members to report on meetings attended on behalf of the County and to carry out their duties as a County Supervisor.

Supervisor Garamendi reported that RCRC has voted to endorse HR975 regarding State Marijuana Laws for 2017.

Supervisor Tofanelli reported that as of today, \$4.796 million dollars of Measure C taxes have been collected.

The meeting was closed at 7:44 PM.

Chair

ATTEST: _____
Deputy Clerk