

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

July 25, 2017
REGULAR MEETING MINUTES

CALL TO ORDER

The meeting was called to order at 8:00 AM by District 2 Supervisor John Garamendi

Attendee Name	Title	Status	Arrived
Gary Tofanelli	District 1 Supervisor	Present	
John Garamendi	District 2 Supervisor	Present	
Michael C. Oliveira	District 3 Supervisor	Absent	
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 reportable action was taken.
- Pursuant to Govt. Code section 54956.9 (d)(1): conference with legal counsel re: existing litigation; Christopher Wilson v. County of Calaveras, Worker's Compensation Appeals Board, Case No. CCVC-362477; Board action:
No reportable action was taken.
- Conference with legal counsel - anticipated litigation – initiation of litigation, (one case) pursuant to Government Code section 54956.9 (d)(4); Board action:
No reportable action was taken.

Pledge of Allegiance

Announcements

Vice-Chair Garamendi announced that Supervisor Oliveira was out of town on County business attending the NACO Conference.

9:05 AM: PUBLIC COMMENT - 30 MINUTES

Bonnie Newman, Double Springs, defined trust, respect, love and nepotism.

Bill Wilson, District 1, commented on the work being done on Pool Station Road

9:10 AM: CONSENT AGENDA

- Minutes of Board of Supervisors – Regular Meeting – Jul 11, 2017 8:00 AM
- DISTRICT ATTORNEY** Approve the Victim Services Subaward Amendment and the 3 Year Lease Agreement for Professional Office Space

6. **PUBLIC WORKS** Approve Blanket Purchase Orders for each of the following vendors: Calaveras Auto Supply for an amount not to exceed \$90,000; George Reed for an amount not to exceed \$550,000; Holt of California for an amount not to exceed \$140,000; Hunt and Sons for an amount not to exceed \$400,000; and Valley Pacific Petroleum for an amount not to exceed \$65,000 for Fiscal Year 2017/18.
7. **ELECTIONS** Adopt a Resolution to conduct a Special Election on November 7, 2017 and render specified services to Central Calaveras Fire and Rescue Protection District to place a special tax measure before the voters of said District.
8. **SHERIFF** Authorize the Sheriff to approve a contract with the US Army Corps of Engineers for law enforcement services for New Lake Hogan for 2017-2021 and Task Order 1 for period of May 22, 2017 through September 30, 2017 at an amount not to exceed \$51,886.80.
9. **SHERIFF** Authorize the Board Chair to execute Amendment 2 to the special patrol services agreement with East Bay Municipal Utility District in the total not to exceed amount of \$248,000.
10. **INFORMATION TECHNOLOGY** Approve Privacy Consulting Group Professional Services agreement for \$90,000 to support Calaveras County HHS and County IT in establishing Privacy and Security programs that support HIPAA Privacy and Security. Support additional Privacy and Security requirements of Calaveras County which are not specific to HIPAA.
11. **HUMAN RESOURCES** Adopt a Resolution authorizing Human Resources to update job descriptions that follow Merit System Services Program without bringing them before to the Board of Supervisors for approval.
12. **HUMAN RESOURCES** Adopt a Resolution approving changes to and the extension of the Calaveras County Public Safety Employees Association MOU expiration from June 30, 2017 to December 31, 2017.
13. **HUMAN RESOURCES** Adopt a Resolution approving the addendum to Deputy Sheriffs' Association MOU.
14. **COUNTY COUNSEL** Approve a Memorandum of Understanding (MOU) between the County and the Superior Court of California, Calaveras County allocating Dependency Counsel Funds from the Court to the County for reimbursement of dependency counsel services rendered
15. **COUNTY COUNSEL** Approve an Agreement for Conflict Public Defender Services between the County and David K. Singer for FY 17/18 and FY18/19 for an amount not to exceed six thousand dollars (\$6,000) per month.
16. **ADMINISTRATIVE OFFICE** Award a contract to Barth Roofing for the replacement of the roof of the County Archives building in an amount of \$74,492.00, authorize additional contingency funding in the amount of \$5,508.00 to be made available for unforeseeable damage and authorize the County Administrative Officer to sign agreement and any subsequent documents.
17. **ADMINISTRATIVE OFFICE** Approve Two (2) Lease Agreements between Calaveras County and M&B Bruno Family, LP for office space at 373 West St. Charles St, Suite E and Suite B, San Andreas, CA.
18. **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.
19. **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.
20. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing the Local State of Emergency for the Butte Fire.
21. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency on Tree Mortality.

REGULAR AGENDA

22. **HUMAN RESOURCES** Adopt a Resolution authorizing additional changes to the Position Control List for FY 2017/2018 recommended budget effective July 22, 2017.
Motion by District 1 Supervisor Tofanelli. Second by District 4 Supervisor Mills. [Unanimous] Adopted by the below result.
AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp
ABSENT: Michael C. Oliveira
23. **PUBLIC AUTHORITY** Accept a presentation on the Calaveras County In-Home Supportive Services Public Authority.
Motion by . Second by . No Vote by the below result.
24. **PUBLIC WORKS** Adopt a Resolution to decrease Fiscal Year 2017/18 Public Works Transit recommended operations budget revenue and expenses by \$117,803, requiring a 4/5s vote.
Motion by District 5 Supervisor Clapp. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.
AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp
ABSENT: Michael C. Oliveira
25. **PUBLIC WORKS** Authorize the Board Chair to: (1) Execute Rental Agreement with Acrow Bridge for rental and delivery of a temporary bridge on Blagen Road, White Pines, CA in the amount of \$77,220 (including tax) (12-months rental), with an additional 12-month rental rate of \$1,800 (plus tax) a month. (2) Execute a Professional Services Agreement between K.W. Emerson, Inc., and Calaveras County for the Installation of Temporary Bridge on Main Street (Blagen Road) White Pines, CA project for an amount not to exceed \$170,910 and an expiration date of August 16, 2017. (3) Authorize payment of project from General Fund source to be identified, with reimbursement anticipated to be received from FEMA and Cal OES at a future date.
Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Approved by the below result.
AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp
ABSENT: Michael C. Oliveira
26. **BUILDING** Approve the Contract with Mathew L. Brown for eradication of illegal and unregistered cannabis cultivation sites in the amount not to exceed \$250,000 for a term of one year from date of approval.
Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Approved by the below result.
AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp
ABSENT: Michael C. Oliveira
27. **BUILDING** Approve the Contract with Fisk Demolition for eradication of illegal/unregistered cannabis cultivation sites in the amount not to exceed \$250,000 for a term of one year from date of approval.
Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Approved by the below result.
AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp
ABSENT: Michael C. Oliveira
28. **PLANNING** Adopt an Ordinance amending the zoning of real property in Calaveras County from Rural Residential (RR-5) to Residential Agriculture (RA) for Jed Richardson.
On a motion to deny the zoning amendment by Supervisor Mills and a second by Supervisor Clapp, the Board was unable to reach a majority. Supervisors Tofanelli and Garamendi were opposed, Supervisors Mills and Clapp were in favor.

Subsequently, Supervisor Tofanelli made a motion to continue this item to the August 8th meeting and the motion was seconded by Supervisor Mills.

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

AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp

ABSENT: Michael C. Oliveira

29. **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 (2016-693) for Ismael Silva on 8454 Cave City Road, Mountain Ranch. APN 036-012-014

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

AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp

ABSENT: Michael C. Oliveira

30. **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 (2016-534) for BLB Collaborative Farms at 5938 Southworth Road, Valley Springs. APN 048-025-105

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

AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp

ABSENT: Michael C. Oliveira

31. **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 (2016-561) for Ray Moore on 6216 Trout Lane, Mountain Ranch. APN 021-010-030

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

AYES: Gary Tofanelli, John Garamendi, Dennis Mills, Clyde Clapp

ABSENT: Michael C. Oliveira

32. **PLANNING** Conduct a Public Hearing and adopt a Resolution upholding the Planning Commission's denial of the appeal of the Planning Director's rejection of a Commercial Cannabis Registration for Steve and Ranae Snowden on APN: 068-003-079 (File 2017-046)

Supervisor Clapp recused himself from the meeting based on a possible conflict, as the appellant's attorney is also affiliated with a matter for Supervisor Clapp. He left the meeting at 3:35 PM.

The appellant's attorney was not present and the Board felt it would be in everyone's best interest not to proceed with the item today, but to table it to the August 22nd meeting, when a full Board can be present.

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

AYES: Gary Tofanelli, John Garamendi, Dennis Mills

ABSENT: Michael C. Oliveira, Clyde 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 Mills reported that he attended the following meetings and events: Easter San Joaquin Groundwater Basin Authority, local Tree Mortality, CSA #4 and Public Works regarding road emergency declaration, CCOG, Copperopolis Fire District, continued discussion with Sheriff and staff regarding budget, Nuisance Abatement and CCOG special meeting.

Supervisor Tofanelli announced the appointment of Amber Collins as the new Executive Director of CCOG.

Supervisor Garamendi reported that he attended a Cannabis Summit with CSAC, RCRC and League of California Cities.

Assistant CAO Moss announced an upcoming notice to choose a Tree Mortality Project Manager and the the Groundwater Basin MOU will be coming to the Board for approval in the future.

The meeting was closed at 3:56 PM.

Chair

ATTEST: _____
Deputy Clerk