

# CALAVERAS COUNTY BOARD OF SUPERVISORS

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



ALBERT ALT  
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 25, 2019 REGULAR MEETING MINUTES

### CALL TO ORDER

The meeting was called to order at 8:00 AM by District 3 Supervisor Merita Callaway

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	Absent	
Dennis Mills	District 4 Supervisor	Present	

### CLOSED SESSION AGENDA

1. Conference with Labor Negotiator – Pursuant to Government Code 54957.6, County designated labor negotiator Judy Hawkins, regarding employee organization Calaveras County Sheriffs' Management Unit; Board action:  
*There was no reportable action taken.*
2. Conference with Labor Negotiator – Pursuant to Government Code 54957.6, County designated labor negotiator, Judy Hawkins, regarding employee organization Calaveras County Public Safety Employees Association; Board action:  
*There was no reportable action taken.*
3. Conference with Labor Negotiator – Pursuant to Government Code 54957.6, County designated labor negotiator, Judy Hawkins, regarding employee organization Calaveras County Deputy Sheriff's Association; Board action:  
*There was no reportable action taken.*

Pledge of Allegiance

### RECOGNITION AND ACKNOWLEDGEMENTS

4. **ECONOMIC DEVELOPMENT (ID # 4593)** Adopt a Proclamation recognizing Lisa Boulton for her seven years of service as the Executive Director for the Calaveras Visitors Bureau.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Benjamin Stopper, District 5 Supervisor
<b>SECONDER:</b>	Gary Tofanelli, District 1 Supervisor
<b>AYES:</b>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

### **9:04 AM: GENERAL PUBLIC COMMENT - 30 MINUTES**

Public Comment was heard prior to Recognitions & Acknowledgements.

Bonnie Newman, Double Springs, commented about cats and their behavior.

Al Segalla, Calaveras Taxpayers Association, asked for a Freedom friendly General Plan.

### **9:20 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>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

5. Minutes of Board of Supervisors – Regular Meeting – May 28, 2019 8:00 AM
6. Minutes of Board of Supervisors – Regular Meeting – Jun 11, 2019 8:00 AM
7. Minutes of Board of Supervisors – Continued Meeting – Jun 12, 2019 9:00 AM
8. **PLANNING 20190625r073** Adopt a Resolution extending the provisions of Chapter 17.93 for Butte Fire victims for an additional year.
9. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 4598)** Authorize the Board Chair to execute an Agreement with Asha Brock, LMFT for the provision of mental health services for a not to exceed value of \$100,000 for the period of July 1, 2019 through June 30, 2021.
10. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 4599)** Authorize the Board Chair to sign an Agreement with JDT Consultants, Inc. for the provision of therapeutic behavioral services for a not to exceed amount of \$400,000 for the period July 1, 2019 – June 30, 2021.
11. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 4600)** Authorize the Board Chair to execute an Agreement with LocumTenens.com for the provision of certain mental health services, including psychiatry services, on an as-needed basis for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$670,000.
12. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM (ID # 4601)** Authorize the Board Chair to execute an Agreement with Samantha Cooper for the provision of mental health services for a not to exceed value of \$100,000 for the period of July 1, 2019 through June 30, 2021.
13. **PUBLIC WORKS (ID # 4602)** 1) Adopt the plans and specifications for construction of the West Point Bikeway Project; 2) Grant the Director of Public Works the authority to incorporate any final changes into the bid documents before advertising for bids; and 3) Authorize the Department of Public Works to solicit formal construction bids.
14. **PUBLIC WORKS (ID # 4608)** 1) Adopt design plans and specifications for construction of the Murphys Drive Road Repair Project, FEMA PA-09-CA-4301-PW-00489(0); 2) Authorize the Director of Public Works to incorporate any final changes into the bid documents before advertising for bids; and 3) Authorize the Department of Public Works to solicit formal construction bids.
15. **ECONOMIC DEVELOPMENT (ID # 4605)** 1. Make a finding of public benefit; and 2. Approve and authorize the Board Chair to execute the West Point Lions Club lease for a five (5) year term beginning upon mutual execution through June 30, 2024 with an annual lease amount of \$1.
16. **SHERIFF (ID # 4551)** Approve and authorize Board Chair to execute the Third Amendment to California Forensic Medical Group, Inc. Agreement for inmate medical services in the detention facility; this amendment will prolong the term from July 1, 2019 through June 30, 2020 and increase the not to exceed annual amount of the Agreement from \$691,432.92 to \$712,175.88, a net increase of \$20,742.96.
17. **SHERIFF (ID # 4552)** Authorize the Board Chair to exercise First Amendment to helicopter service Agreement with James Sadrian Marshall, doing business as Marshall Construction, dated May 11, 2017; and approve First Amendment to the Agreement for a term extension from May 11, 2017 through June 30, 2020 and increase the not to exceed annual amount of the Agreement from \$60,000 to \$80,000, a net increase of \$20,000, for the aggregate four fiscal years within the Term.

18. **SHERIFF (ID # 4553)** Authorize the Board Chair to exercise First Amendment to helicopter service Agreement with Sacramento Executive Helicopters, Inc., dated May 11, 2017; and approve First Amendment to the Agreement for a term extension from May 11, 2017 through June 30, 2020 and increase the not to exceed annual amount of the Agreement from \$60,000 to \$80,000, a net increase of \$20,000, for the aggregate four fiscal years within the Term.
19. **SHERIFF (ID # 4583)** Approve the 2019 Supplemental Law Enforcement Services Agreement with Kautz Vineyards, Inc., doing business as Ironstone Vineyards and Winery, for the Term from July 1, 2019 through June 30, 2022, and authorize the Board Chair to execute the Agreement.
20. **SHERIFF (ID # 4587)** Approve Cooperative Law Enforcement Agreements (base Agreement No. 19-LE-11051360-015; Exhibit A—2019 Annual Operating and Financing Plan for Patrol Activities for \$6,000 of reimbursement; and Exhibit B—2019 Controlled Substance Annual Operating and Financial Plan for \$18,000 reimbursement) with the USDA, Forest Service for the provision of law enforcement activities including removal of controlled substance on Federal Forest Land for a period of five years from when the base Agreement is fully executed in 2019 through December 31, 2024; and authorize the Board Chair and the Sheriff to execute the three Agreements.
21. **AUDITOR/CONTROLLER (ID # 4568)** Approve Agreement between CCOG and the County for Accounting and Treasury Services for a total not to exceed \$25,000 per year from July 1, 2019 through June 30, 2024
22. **ADMINISTRATIVE OFFICE (ID # 4528)** Approve the Fourth Amendment to the Agreement for Coroner Services between the County of Calaveras and Calaveras Mortuaries, Inc. to extend the term through June 30, 2020 and authorize the County Coroner to sign the Agreement.
23. **ADMINISTRATIVE OFFICE (ID # 4590)** Approve the FY 2019-20 Administrative Match Agreement between the County of Calaveras and Area 12 Agency on Aging in the amount of \$99,053.00 and authorize the Board Chair to sign the Agreement.
24. **ADMINISTRATIVE OFFICE (ID # 4610)** Approve a revised designation of Applicant's Agent for Non-State Agencies (Cal OES 130 Form), designating the County Administrative Officer, Assistant County Administrative Officer and the Director of Emergency Services as authorized agents.
25. **ADMINISTRATIVE OFFICE 20190625r074** Adopt a Resolution authorizing the purchase of certain Capital Assets for FY 2019-20.
26. **ADMINISTRATIVE OFFICE 20190625r075** Adopt a Resolution approving FY 2019-20 Recommended Budget for Special Districts Governed by the Board of Supervisors.
27. **ADMINISTRATIVE OFFICE 20190625r076** Adopt a Resolution approving Fiscal Year 2019-20 Recommended Budget for Special Revenue Funds.
28. **HUMAN RESOURCES 20190625r077** Adopt a Resolution authorizing changes to the Position Control List for Fiscal Year 2019/20 Recommended Budget effective July 6, 2019.
29. **HUMAN RESOURCES 20190625r078** Adopt a Resolution authorizing changes to the Position Control List for specific department reclassifications and job description updates for Fiscal Year 2019/20 effective July 6, 2019.
30. **HUMAN RESOURCES 20190625r079** Adopt a Resolution authorizing changes to the Position Control List, reclassifying the position of Administrative Assistant II within the Environmental Management Agency to Department Analyst effective July 6, 2019.
31. Item Pulled from Consent
32. **ADMINISTRATIVE OFFICE 20190625r080** Adopt the FY 2019-20 Recommended Budget.

ITEMS PULLED FROM CONSENT

**ADMINISTRATIVE OFFICE (ID # 4589)** Approve and authorize the Auditor-Controller to post budget transfers: 1) Increasing appropriations in the amount of \$29,411 in the Butte Fire Debris budget; 2) Increasing appropriations in the amount of \$22,000 in the GIS budget; 3) Increasing appropriations in the amount of \$674 in the Community Organizations budget; 4) Decreasing revenues and increasing General Fund contribution in the amount of \$132,000 in the Assessor budget; 5) Increasing appropriations in the amount of \$329,816 in the County Contributions budget; 6) Decreasing revenues and increasing General Fund contribution in the amount of \$75,500 in the Environmental Health budget; and 7) Decreasing revenues and increasing General Fund contribution in the amount of \$3,000 in the Onsite Wastewater budget. Requires 4/5th affirmative vote of the Board.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Benjamin Stopper, District 5 Supervisor
<b>SECONDER:</b>	Dennis Mills, District 4 Supervisor
<b>AYES:</b>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

REGULAR AGENDA

THE BOARD RECESSED AS THE BOARD OF SUPERVISORS AND CONVENED AS THE AIR POLLUTION CONTROL DISTRICT BOARD.

33. **ADMINISTRATIVE OFFICE 20190625r081** Adopt a Resolution approving Fiscal Year 2019-20 Recommended Budget for the Air Pollution Control District.

<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>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

THE BOARD ADJOURNED AS THE AIR POLLUTION CONTROL DISTRICT BOARD AND CONVENED AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

34. **ADMINISTRATIVE OFFICE 20190625r082** Adopt a Resolution approving FY 2019-20 Recommended Budget for the In Home Supportive Services Public Authority.

<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>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

THE BOARD ADJOURNED AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED AS THE BOARD OF SUPERVISORS

35. **ECONOMIC DEVELOPMENT (ID # 4607)** Receive a Presentation on the 2019 Return on Investment Study by the Calaveras Visitors Bureau.
36. **ADMINISTRATIVE OFFICE 20190625r083** Conduct a public hearing and adopt a Resolution implementing Fire Impact Mitigation Fees on behalf of the Calaveras Consolidated Fire District pursuant to the provisions of Government Code, Section 66000 et seq. and Chapter 15.08 of the Calaveras County Code

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Tofanelli, District 1 Supervisor
<b>SECONDER:</b>	Benjamin Stopper, District 5 Supervisor
<b>AYES:</b>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

37. **ADMINISTRATIVE OFFICE (ID # 4611)** Receive an update on disaster recovery activity throughout Calaveras County for Butte Fire Federal Highway Administration, Winter Storms and Tree Mortality.

*Informational only, there was no action taken on this item.*

38. **CLERK OF THE BOARD OF SUPERVISORS (ID # 4485)** Approve bylaws for the IHSS Advisory Committee effective immediately.

*The Board adopted the staff version of the bylaws with the following edits:*

*Article IV - Header was changed from "The Brown Act" to "Meetings"*

*Article V - #1, "Commission" was corrected to "Committee"*

*Article V - #2, The underlined language was added to the sentence "The Chair shall email the agenda to all Committee members and mail agendas to those without email access via US Mail or may delegate the responsibility of disseminating information."*

*The Board recessed for lunch after, Item 37, at 12:40 PM and reconvened at 1:45 PM.*

<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>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

39. **PLANNING 20190625r084** Conduct a public hearing and adopt a Resolution denying the appeal by Thomas Tryon of the Planning Commission's denial of an appeal of the Planning Director's determination that the Angels Gun Club is a legal, non-conforming use.

*Supervisor Tofanelli stated that he is a personal friend of Mr. Tryon's and has visited the Angels Gun Club on several occasions.*

*Supervisor Mills stated that he knows Mr. Tryon and has been to the Angels Gun Club.*

*Supervisor Callaway stated that she and Mr. Tryon have served on the Board of Supervisors together and she is friends with the Tryon family.*

*Supervisor Stopper stated that he has been to the Gun Club in the past.*

*All stated that they did not believe there would be any conflict due to their relationships with the parties involved and will be able to make impartial decisions.*

*Supervisor Callaway stated that absent any objection, she would be conducting the hearing in the following manner:*

*Staff Presentation*

*Tryon Presentation*

*Gun Club Presentation*

*Public Comment (3 minutes)*

*Summation/rebuttal by Tryon (15 minutes)*

*Summation/rebuttal by Gun Club (15 minutes)*

*Surrebuttal by the public (limited to what was stated in the above rebuttals)*

*Summation/surrebuttal by staff*

*Board discussion*

*Close the hearing*

*Board action*

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Benjamin Stopper, District 5 Supervisor
<b>SECONDER:</b>	Dennis Mills, District 4 Supervisor
<b>AYES:</b>	Merita Callaway, Benjamin Stopper, Gary Tofanelli, Dennis Mills
<b>ABSENT:</b>	John Garamendi

**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 Stopper toured the State OES Command Center.*

*Supervisor Tofanelli will attend the Mountain Valley EMS meeting tomorrow.*

*Supervisor Mills went to the CSA 4, Copper Fire regarding New Melones spill status, OES, CAMRA and Fire Safe Council meetings. He will be attending the Mountain Counties Counties Water Conference.*

*CAO Alt reported that he had attended the Coffee with the Community meeting in Murphys.*

The meeting was closed at 4:53 PM

  
 \_\_\_\_\_  
 John Garamendi, District 2 Supervisor 6/25/2019

  
 \_\_\_\_\_  
 Rebecca Turner, Clerk-Recorder 6/25/2019

ATTEST