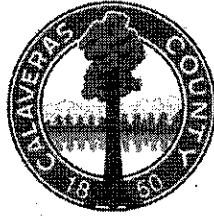


CALAVERAS COUNTY BOARD OF SUPERVISORS

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DISTRICT 2
MERITA CALLAWAY - VICE CHAIR
DISTRICT 3
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JANIS ELLIOTT
COUNTY COUNSEL
MADALINE KRSKA
COUNTY CLERK / BOARD CLERK

891 MOUNTAIN RANCH RD
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November 13, 2012
PRELIMINARY AGENDA

CALAVERAS COUNTY BOARD OF SUPERVISORS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY CALAVERAS COUNTY AIR POLLUTION CONTROL DISTRICT

THIS MEETING WILL BE HELD IN THE BOARD OF SUPERVISORS CHAMBERS
891 Mountain Ranch Rd, San Andreas, California

8:00 AM: Call to Order

1. **CLOSED SESSION;** pursuant to Govt. Code section 54957.6, personnel matter: conference with labor negotiator (Director of Human Resources & Risk Management) re: Deputy Sheriff's Association (DSA), Sheriff's Management Unit (SMU), and Calaveras County Public Safety Employees Association (CCPSEA) and Service Employees International Union (SEIU) negotiations; Human Resources Director - Board action:

9:00 AM: Pledge of Allegiance
Announcements

9:00 AM to 9:30 AM: PUBLIC COMMENTS

2. **PUBLIC COMMENT PERIOD:** Any item of interest to the public that is within the subject matter jurisdiction of the Board and is not posted on the Consent or Regular agendas may be addressed during the Public Comment period. California law prohibits the Board from taking action on any matter which is not posted on the agenda unless it is determined to be an emergency by the Board of Supervisors. If Public Comment is not completed during the allotted time period, it will be continued at the conclusion of the Regular Agenda in order to provide an opportunity for the remainder of comments to be heard.

If you wish to address the Board on an agenda item, please come to the rostrum and give your name and your comments. Time limits and order of items shall be at the discretion of the Chair.









RECOGNITION AND PRESENTATIONS

3. Adopt a RESOLUTION honoring Andy Ballantyne for his dedicated service to Calaveras Veterans and Community Services; Supervisor Tofanelli – Board action:



CONSENT AGENDA

Consent agenda items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any board member, staff member or

13. Voting as the Board of Supervisors regarding adoption of RESOLUTION authorizing the renewal of the Interagency Agreement between the County of Calaveras and the Calaveras County IHSS Public Authority; Public Authority – Board action:
14. Noticed PUBLIC HEARING Pursuant to Government Code §66002(b) and §66006(b)(2) to Adopt a RESOLUTION: (1) Approving the Countywide Road Impact Mitigation (RIM) Fee Program Annual Report; (2) Reapproving the RIM Project List Pursuant to Government Code §66002; and (3) Amending the RIM Project Priority List; Public Works – Board action: 
15. Adopt a RESOLUTION to approve a professional services agreement between Calaveras County and Veras Resources, Inc. for on-call services associated with capital improvement projects for an amount not to exceed \$100,000 and a term to expire June 30, 2014; Public Works – Board action: 
16. Adopt a MINUTE ORDER authorizing the Auditor-Controller to issue payment of \$85,066.69 to George Reed, Inc., for paving materials; Public Works – Board action: 
17. Adopt a RESOLUTION to approve a professional services agreement between Calaveras County and Raney Planning & Management, Inc. for consultant services to prepare portions of the General Plan Update Document and to prepare the General Plan Environmental Impact Report for an amount not to exceed \$299,919.00 and a term to expire December 31, 2013, funded through the General Fund as allocated to the Planning Department 2012-2013 Budget; Planning – Board action: 
18. Adopt a MINUTE ORDER upholding the Administrative Citation in Code Compliance Case #12-16, regarding Jonathon A. Hughes, authorizing abatement of all remaining code violations, and the assessment of a lien on the subject property for the recovery of Administrative Costs, Administrative Fines, and Abatement Costs. The property is located at 3243 Murrietta's Roost, Dorrington, CA; Code Compliance – Board action: 
19. Adopt a MINUTE ORDER upholding the Administrative Citation in Code Compliance Case #12-20, regarding Christopher Whitear, authorizing abatement of all remaining code violations, and the assessment of a lien on the subject property for the recovery of Administrative Costs, Administrative Fines, and Abatement Costs. The property is located at 3212 Chestnut Way in the Bar XX Subdivision approximately five miles west on Highway 4 from the intersection of Highway 49 in Angels Camp; Code Compliance – Board action: 
20. Adopt a MINUTE ORDER upholding the Administrative Citation in Code Compliance Case #12-34, regarding Gabriel J. & Linda A. Lozano, 6219 Main Street, Paloma, CA. authorizing abatement of all remaining code violations, and the assessment of a lien on the subject property for the recovery of Administrative Costs, Administrative Fines, and Abatement Costs; Code Compliance – Board action: 
21. **2:00 PM:** Approve a RESOLUTION adopting the Mokelumne Hill Design Guidelines that will only apply to the Mokelumne Hill Community Planning Area, specifically the Historic District, Designated Historic Buildings and proposed Gateways. The Planning Commission also recommends the Board include the formation of the Design Review Committee as set forth in Chapter 7 of the Mokelumne Hill Design Guidelines; Planning – Board action: 
22. Review of correspondence, reports and various matters of concern.

MINUTES OF A REGULAR MEETING OF THE BOARD OF SUPERVISORS,
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
HELD ON NOVEMBER 13, 2012

PRESENT: Gary Tofanelli, Chair; Merita Callaway, Vice-Chair; Steve Wilensky and Thomas Tryon and Darren Spellman, Supervisors; Janis Elliott, County Counsel, Jeanne Boyce, County Administrative Officer and Diane Severud, Supervising Board Clerk.

Digital Recorder 20121113 BOS

Chair Tofanelli called the meeting to order at 8:00 AM and the Board then convened to closed session.

Supervisor Spellman arrived at 8:25 AM.

Chair Tofanelli reconvened the meeting at 9:00 AM and made the following announcement:

1. CLOSED SESSION; pursuant to Govt. Code section 54957.6, personnel matter: conference with labor negotiator (Director of Human Resources & Risk Management) re: Deputy Sheriff's Association (DSA), Sheriff's Management Unit (SMU), and Calaveras County Public Safety Employees Association (CCPSEA) and Service Employees International Union (SEIU) negotiations. No action was taken.

2. PUBLIC COMMENT.

Marti Crane, Valley Springs, announced a challenge raised by a part-time resident of Valley Springs for the Youth Center to raise \$15,000 by the end of November and he will then donate an additional \$5,000. In an effort to raise funds, the Family Showcase will be held on Saturday and Sunday, November 17 and 18.

Joe Kelly, Copperopolis, announced the appointment of a new Executive Director of CSAC. He questioned the advertisement in the Copper Gazette for Tom Tryon that listed a County email address. He believes there has been a blatant disregard for the law regarding the procedural error for Public Works Director's salary increase and wondered why the criminal aspect of the error has not been addressed.

Bonnie Newman, Double Springs, wonders what would inspire someone to be a County Supervisor, why the Public Works Director was given a pay raise when he didn't ask for it and if he is going to accept it. She stated it appears there is money to throw around. She continued that home care providers have not had a raise in three years; however, the County will be receiving a \$36,000 check for retroactive payment for the County's contribution for home care workers. Ms. Newman thanked Supervisors Tofanelli, Wilensky and Tryon for their service and sacrifice, adding that she will miss them.

Rosemary Wilson, Mokelumne Hill, explained she had been a precinct officer in Mountain Ranch and noted there was some confusion regarding newly formed all mail precincts.

Al Segalla, CCTPA, thanked the departing supervisors for their diligent work and especially to Chair Tofanelli for his work in Valley Springs for planning.

George Fry, San Andreas, thanked Supervisors Tofanelli and Tryon for their service to the County and to Supervisor Wilensky, he expressed his appreciation for all he has done for the citizens of his district and the county. He added he hopes that Supervisor Wilensky will submit an

balances would be done. He felt contracts should be annually approved. Joe Kelly asked for clarification on which firms proposals were requested from, why a list of them was not included in the board packet and he thought Rob Houghton was a former County employee. Mr. Garcia explained the system of checks and balances are the federal and state contracting codes and the firm was selected because they had experience with the County. The Public Works department will provide a list of firms upon request. Al Segalla believes that transparency is important and suggested that department heads meet monthly or quarterly to discuss way to be transparent. Cliff Edson expressed his excitement the County decided to use local contractors and added he would like to see more transparency.

Moved: Spellman Seconded: Tryon Approved: Unanimous

RESOLUTION 2012-161 TO APPROVE A PROFESSIONAL SERVICES AGREEMENT BETWEEN CALAVERAS COUNTY AND VERAS RESOURCES, INC. FOR ON-CALL SERVICES ASSOCIATED WITH CAPITAL IMPROVEMENT PROJECTS FOR AN AMOUNT NOT TO EXCEED \$100,000 AND A TERM TO EXPIRE JUNE 30, 2014.

16. PUBLIC WORKS.

Tom Garcia, Director, reported the trenching done throughout the county to accommodate the new fiber optic network required hot paving materials that are only available in this area from George Reed. Rebecca Callen, Auditor, explained the invoice was above the approved contract with George Reed and wondered if a budget adjustment will be done at a future date should the invoices exceed the approved amount. CAO Boyce felt the matter should be monitored by the department head. Mr. Garcia commented he would rather review the matter and revisit it after snow season to see if a budget adjustment will be needed.

Moved: Wilensky Seconded: Spellman Approved: Unanimous

MINUTE ORDER 20121113mo160 AUTHORIZING THE AUDITOR-CONTROLLER TO ISSUE PAYMENT OF \$85,066.69 TO GEORGE REED, INC., FOR PAVING MATERIALS.

17. PLANNING.

Rebecca Willis and Brenda Gillarde, Planning, corrected the dollar amount on the contract with Raney Planning and Management to \$299,960 instead of \$299,919. Ms. Willis explained the retention of a consultant will assist staff in meeting the requested accelerated pace of the General Plan. Cindy Gnos, Raney Planning and Management, gave an overview of the experience of the firm. Ms. Willis expressed her satisfaction with Raney from previous experience and reported that of \$1 million previously budgeted, \$909,236 had been spent to date on the previous consultant hired to produce the General Plan and would not have covered its completion, additional funds would have had to been approved. This contract will get the EIR, streets and roads, central valley flood protection plan, oak woodlands, US Fish and Wildlife plan for Copperopolis and water. Ms. Gillarde noted the allowance of \$50,000 for change orders.

There was discussion regarding the budgeted Planner IV position and its duties for FEMA, backlog projects and regular planning. Also discussed were the location of all public meetings in San Andreas and if Raney were to attend those meetings, it would cost approximately \$1,000 per meeting. The Board felt staff was equipped to handle the public meetings without the presence of Raney.

George Fry asked if \$69,000 will be paid for traffic and circulation and wondered why the Public Works Director's raise was justified by the need for his participation in the General Plan if there was going to be a consultant. Mr. Fry asked if an RFP had been done, if the water element was required and if the traffic, noise and biology will be done by the sub-consultants.

Peter Racz did not like the sub-consultants on the list and felt individual property and water rights were totally ignored. Al Segalla was concerned about the cost and what this process has done to the people of the county. He felt public planning is a use of force with no accountability and someone should be hired to review everything from the perspective of the property owner.

Joe Kelly supports the comments of Mr. Segalla and asked if wetlands will be addressed in this proposal, if Environmental Service Contracts (ESC) be considered and what no project alternative means.

Rosemary Wilson thinks it is a great underestimation of the amount spent on the General Plan to date and believes there will be a great void left when Chair Tofanelli leaves regarding asking questions about contracts and sub contracts. Tonja Dausend feels the General Plan has been flawed from the beginning and would like to discourage the Board from spending another \$300,000 on it.

Colleen Platt thought the previous consultant was part of a good process and would like to see that continue.

Ms. Willis explained there needs to be a professional to do the traffic portion and the role of the Public Works Director is to give the consultant the scope of work. This contract does not include water as a separate element and the \$300,000 was part of the \$419,000 not spent by the Planning Department last year. She continued the prior consultant had the ability to make a lot of decisions on their own and that will not be happening this time. Wetlands are not going to be addressed, there will be program level EIR, not project level EIR and conservation easements will not be mandatory. CEQA requires the no project alternative language.

Supervisor Tryon commented he doesn't believe the Board should take action today and the new Board should do so. This is a whole new General Plan process and he thinks that the \$300,000 will be severely challenged to deliver a final product for that amount. He thinks the priority during the budget process should have been the General Plan, not additional deputies. He thinks it is a mistake to put all of this emotion and thought into this decision when it is unknown how the new Board feels about the General Plan and their priorities. He suggested adding that a special meeting to discuss only the General Plan should be scheduled when the new Board takes office. Chair Tofanelli agreed with him from a business standpoint adding that the new Board could change their mind and it could cost a whole lot more money.

Moved: Wilensky

Seconded: Callaway

Approved: Majority

Dissenting: Tofanelli and Tryon

RESOLUTION 2012-162 TO APPROVE A PROFESSIONAL SERVICES AGREEMENT BETWEEN CALAVERAS COUNTY AND RANEY PLANNING & MANAGEMENT, INC. FOR CONSULTANT SERVICES TO PREPARE PORTIONS OF THE GENERAL PLAN UPDATE DOCUMENT AND TO PREPARE THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT FOR AN AMOUNT NOT TO EXCEED \$299,960.00 AND A TERM TO EXPIRE DECEMBER 31, 2013, FUNDED THROUGH THE GENERAL FUND AS ALLOCATED TO THE PLANNING DEPARTMENT 2012-2013 BUDGET.

18. CODE COMPLIANCE.

Todd Barr, Code Compliance, noted the issues began in October 2009 with a stop work order and in July 2010, no response was received from the property