

## Calaveras County BOS Meeting - 09.13.2022

### Staff Announcements

- **Judy Hawkins - HR & Risk Management Director** - will have employee health fair on Thursday, September 29. A lot of information on wellness; mental health, behavioral health, public health, IT, elections - to assist to enroll to vote, animal services, medical - Carim - employee can go to an excellence of care hospital for surgeries that will be paid for, financial - example is RCRC assist to own program. New program called Hinge - for physical therapy, ability to do PT remotely (via iPad). Lavango - for those with diabetes, Type I and Type II - both applies, helps employee have access to resources for free. October 6 will have a webinar at 10 a.m. and 2 p.m. for employees who cannot attend live. Will have 25 vendors at this event. Have partnered with Mark Twain and will be a very big event.
- High School Internship Program - only had one prior to Covid. Working with Calaveras County High School District. Having a quasi-recruitment event, students will have to interview and apply for internship. Looking for early October. Will provide date and location once it has been finalized.
- **Lisa Medina - Environmental Management Agency Director** - 157 rabies vaccines were given last Saturday at our clinic. Next last and free clinic is on Saturday October 8, 9 a.m to noon, at the Government Center, for rabies, vaccines, microchip.

### Recognition and Acknowledgments

#### **3. Proclamation - Behavioral Health Services - Mental Health Program (ID # 6863) Proclaim the Month of September 2022 as Suicide Prevention Awareness Month in the County of Calaveras, recognizing the role of promoting awareness and resources around suicide prevention.**

- **Wendy** - be the one to help and speak up. Introduced **Ken Baldwin** - taught at Bret Harte for 25 years. I have suffered from depression and suicidal tendencies for most of my adult life. In 1981, I took pills and alcohol, tried to kill myself, was unsuccessful, spoke with his wife and they agreed not to talk about it with anyone. Three years later, I jumped off the Golden Gate Bridge and realized as I jumped I wanted to live. I immediately started talking about and am not ashamed about who I am and what has occurred. I started talking about suicide prevention and what we can do to help others. QPR - question, persuade, respond - means start the conversation, it may help save someone's life. I have been doing this for the Behavioral Health Dept. for the past four years.
- **Cori Allen - HHS Director** - acknowledges the work and support from our behavioral department. This department is providing a safety net.
- **Supervisor Tofanelli read the proclamation.**

**Motion to approve proclamation - Passed - 5 - 0.**

### General Public Comment

- **Al Segalla - President of Calaveras County Tax Payers Association** - loss of money due to wildfires, best approach to fire prevention is first response. We are losing billions of dollars and can reduce that by larger aircraft/tankers. Also, successful early response would be helpful. Suggests this be looked at further to see if we can reduce and improve early response.
- **Terri McBride - New California State** - exercising its rights - making of a new state. Provided documents with statistics and gave it to the BOS. We follow the first and fourth amendment. Spoke too fast but basically stated California is in a state of free fall and run by a socialist government that has eliminated the three branches of government. Go to [newcaliforniastate.com](http://newcaliforniastate.com) to read the entire declaration.

## Consent Agenda

4. Minutes of Board of Supervisors – Regular Meeting – Aug 16, 2022 9:00 AM

5. Minutes of Board of Supervisors – Regular Meeting – Aug 23, 2022 8:00 AM

6. Action Item - Administrative Office (ID # 6844) Make public benefit findings and approve Community Organizations (10100140) allocations in the total amount of thirty-one thousand dollars (\$31,000.00).

7. Resolution - Auditor/Controller (ID # 6870) Adopt a Resolution Establishing Ad Valorem Property Tax Rates for Fiscal Year 2022-23.

8. Agreement - Behavioral Health Services - Mental Health Program (ID # 6878) Authorize the Board Chair to execute an Agreement with Matthew J. Johnson, LMFT, for the provision of mental health services in the not to exceed amount of \$100,000 for the period of July 1, 2022 through June 30, 2023.

9. Action Item - Clerk of the Board of Supervisors (ID # 6887) Temporarily revise the Board of Supervisors assignment to the Rural Counties Representatives of California, designating Supervisor Folendorf as a temporary alternate for the September 14 -16, 2022 RCRC meeting.

10. Action Item - District Attorney (ID # 6874) 1) Approve the DA's Annual Certification Report for the US Department of Justice annual Equitable Sharing Program for County fiscal years 2019-20, 2020-21, and 2021-22; and 2) Authorize the District Attorney's Office to electronically submit the reports on behalf of the District Attorney and the Chair of the Board of Supervisors.

11. Action Item - District Attorney (ID # 6877) Approve the FY 2022/23 Cal OES Victim/Witness Assistance Program grant in the amount of \$297,056.

12. Action Item - Integrated Waste Management (ID # 6855) Authorize the Purchasing Agent to issue a Blanket Purchase Order for Hunt and Sons in an amount not to exceed \$200,000 for fiscal year 2022-23.

13. Resolution - Integrated Waste Management (ID # 6871) Adopt a resolution amending Resolution 91-76 to authorize the Calaveras County Solid Waste Task Force to serve an additional role as a general advisory committee to the Board of Supervisors on matters related to the County's waste management and recycling infrastructure and programs.

14. Agreement - Public Works (ID # 6872) 1) Award Invitation to Bid 22-1020-02-913 for construction services for the Road Resurfacing and Paving Program – Murphys Roads Project; and 2) Authorize the Board Chair to execute an Agreement with J.V. Lucas Paving, Inc. for construction of the Road Resurfacing and Paving Program – Murphys Roads Project in an amount not to exceed \$635,915.70.

## Public Comment

- **Al Segalla** - wants to pull item 10
- **Supervisor Stopper and Callaway** - wants to pull item 13

Motion to approve consent agenda items 4 - 14, except items 10 and 13 - Passed - 5-0.

- **Item 10**
- **Al Segalla** - concerned our government is moving to a social dictatorship rather than democracy. Our courts and law enforcement should look carefully re our loss of freedom. We need to protect our constitution and do a better job.

### **Public Comment**

- **None**

### **Motion to approve consent agenda items 10 - Passed - 5-0.**

- **Item 13**
- **Supervisor Callaway** - pulled because not sure why the Taskforce needs to expand for the kind of things they need to do, they can do under state regulations. Doesn't feel we need to expand what they are doing, because they can do what they need under how they are currently structured.
- **Jennifer Cache - Director of Integrated Waste Mgt** - would be authorizing general committee, has to be authorized by the BOS, it is the state mandated roles.
- **Supervisor Stopper** - where are the by-laws. Re advisory role, there has been confusion re what the duties are of the solid waste. When we worked on the by-laws, it does not state shall review contract, it says may, and there is a significant difference. The intent is to provide another avenue for public input. We have an opportunity to move forward to get the public involved and the integrated waste mgt would be advisory and the BOS would have the final say.
- **Jennifer Cache** - re by-laws, we need to be authorized before bringing them back. Can't bring back until the BOS authorizes any changes. This needs to happen before the by-laws are finalized.
- **Supervisor Garamendi** - agree the public needs input. My concern is we have many vendors on the advisory board and we want their input but don't want contracts being approved prior to being released and approved. I don't want the vendors influencing how we put out contracts. Would like this considered so there is appropriate separation.
- **Supervisor Stopper** - agrees with Supervisor Garamendi. Would use the gambit contract that came forward a few years ago.
- **Sarah Edwards - County Counsel** - in general, if a contract is to be looked at or viewed, it needs to become a public document and can get tricky if we ask the Taskforce to review contracts. Taskforce may review contracts. Procedural standpoint, BOS needs to put items in place and then finalize the by-laws. Having the Taskforce look at contracts can be challenging.
- **Supervisor Stopper** - agreed with Sarah Edwards. Contracts should always go to county counsel first before approval.
- **Supervisor Tofanelli** - Any contractors on the Taskforce have to recuse themselves, go out of the room, per the Brown Act.
- **Chair Folendorf** - if there is a way for the by-laws to stay in their lanes would be good. Confused as to why contracts are mentioned in the by-laws, understands the intent but it could cause problems because of who is on the Taskforce. We have a lot of landfill issues that are coming down the pike and we need to address it.
- **Supervisor Stopper** - the Brown Act training is a requirement for all committees with Brown Act status. Need to look at the shall's and may's.
- **Jennifer Cache** - where is the determining factor re the shall or may. Who has that final determination, If the Taskforce requests it, does it have to come to the BOS. Needs clarity on the shall/may.
- **Sarah Edwards** - contracts by the BOS, internal staff reviews the proposals and makes a recommendation and then BOS makes decisions. Proposals don't become public until we negotiate terms of the contract. One option, continue expanded role of the Taskforce but not having them actually review contract proposals so we don't encounter Brown Act issues.

Required by law to have a Taskforce. The by-laws will be tailored to what the BOS states today and wants in them.

- **Lengthy discussion between Supervisors re how to move forward.**

#### **Public Comment**

- **Al Segalla** - agrees with Supervisor Stopper. The Taskforce should be able to look at everything.

**Motion to approve consent agenda items 13 - Passed - 3-2. (No was Chair Folendorf and Supervisor Callaway)**

#### **Regular Agenda**

**15. Action Item - Clerk of the Board of Supervisors (ID # 6884) Appointment of applicants to serve on various Committees, Commissions, Advisory Boards and County Service Areas.**

- **Supervisor Stopper** - recommendation by Solid Waste Taskforce, I am indifferent on either candidates as I feel they are both knowledgeable in their field.
- **Supervisor Callaway** - I would like to nominate Peter LaFlazia, Mr. Vacarous does not live in the county and it is a critical position re where we may be going. Mr. LaFlazia works in recycling and very knowledgeable.

#### **Public Comment**

- **None**

**Motion to approve action item - Passed - 5-0.**

**16. Action Item - Administrative Office (ID # 6875) Conduct the FY 2022-23 County Budget Hearings and direct Staff to return on September 27, 2022 with the County Budget Resolutions.**

- **Marcos Munoz - Assistant County Administrative Officer - presented power point presentation. Please see for detailed information.**
- **FY 2021-22 Close Out - Close-out:** actual final fund balance: \$10.434 million. Strong revenues: Sales Tax - 14.56% above 2020-21 actuals. Excise Tax - 44.07% above 2020-21 actuals.
- **Sales Tax Receipts have come in strong and continue to move in a positive direction.** TOT has remained steady and we have seen an increase in the past year. Excise Tax came in at 3.5 million; don't anticipate hitting this mark in the current year. Looking closer to 1.8 million. Part of reason is because of reduction in taxes.
- **General Fund - FY 2021-22 and FY 2022-23 Expense By Service Category:** County Admin and Finance - 3.89% increase; Public Safety and Protection - 11.34% increase; Land Use - 21.21% decrease; Health and Human Safety - 7.07% decrease; Education, Recreation and Community Services - 3.18% decrease; Disaster Response and Recovery - 73.24% decrease. Overall budget change - 5.60% decrease.
- **General Fund - FY 2021-22 and FY 2022-23 Revenue By Revenue Types:** FY 2022-23 = \$64,589,074; FY 2021-22 = \$77,240,543; down 9.34% overall.
- **General Fund - Four Year Revenue Trend:** 2022-23 - \$64,589,074; 2021-22 - 71,240,543; 2020-21 - \$75,690,097; 2019-20 - \$67,200,835.
- **Position Requests: Public Works** - update job description for Public Works Deputy Director. Reclass Business Administrator to Deputy Director of Public Works Administration - new position. Reclass Gatekeeper to Integrated Waste Work I/II. Reclass Limited Term Community Services Liaison from .8 FTE to 1.0. **OES** - limited term department analyst. **HHSA - Public Health:** Five new positions based on ongoing funding they are receiving. Health Education Specialist; Department Analyst; Community Engagement Coordinator,

Public Health Nurse; Clinical Nurse. Internship Program - Update intern salary to \$15.50 to be in compliance with minimum wage increase in January 2023. Clinical I/II/III Series - have an impact to budget. We currently only have IIIs, eliminating I and II.

- **Final Budget Highlights:** Sales Tax and TOT came in higher than anticipated in FY 2021-22. Reduced budgeted transfer from Teeter to balance. Reduced from \$4,012,044 to \$738,695 in FY 2022-23. Larger than anticipated fund balance as close of year, 6.30.22. Fund Balance at \$10.4 million. General Fund Reserve at policy minimum. Reserve Balance of \$5,007,804. General Fund Contingency at policy minimum. Reserve Balance of \$1,209,365.
- **Final Budget Highlights:** Economic Uncertainty (high inflation, volatile market conditions). Sales Tax, TOT, and Prop 172 are budgeted at 90% of 2021-22 actuals. Will re-evaluate budgeted numbers throughout the year. Budget heavily dependent on one-time funds (i.e. Fund Balance). Large increases anticipated in future budgets to account for MOU increases. Large structural deficit.
- **General Fund Reserve Balance:** Estimated Fund Balance as of 6.30.23 - \$5,007,804. This represents policy minimum of 8% revenue (3-year average).
- **Teeter Fund Balance:** Estimated Fund balance as of 6.30.23 - \$5,651,728.
- **Structural Deficit:** \$9,956,362 for FY 2022-23.
- **Recommendation:** Conduct a public hearing on the budget; receive a presentation by the Assistant County Administrative Officer on the FY 2022-23; provide direction on any changes to the FY 2022-23 final budget before it comes back on 09.27.22.

### **Public Comment**

- **Jason Osborne - Director of Emergency Services** - limited term analyst, is not associated with the good neighbor agreement, associated with California Fire Counsel for a limited term position of 18 months. Just wanted to clarify where funds were coming from.
- **Rick DiBasilio - Sheriff** - opened up to questions. **Supervisor Callaway** - the extra bed space you are getting, how is that going? **Rick DiBasilio** - supposed to kick off 10.01.22.
- **Stan Moore - County CIA - IT** - opened up to questions. **Supervisor Callaway** - years ago established teeter because they are so expensive. Where is that allocation going. **Marcos Munoz** - a lot of it is going into IT but not all going to IT.
- **Jennifer Cashe - Integrated Waste** - Cal Recycle - able to reduce closure fund by \$500,000 and adequately funded and in good shape.
- **Re positions: Supervisor Stopper** - re OES - we need to think about possible assertion in the department in the future. Would BOS be willing to bring in the future re both positions to look at the whole picture and have a discussion re how to proceed. Not opposed to these but would like more time to think about it. **Supervisor Tofanelli** - agrees. **Robert Pachinger** - can bring back at a later time. **Supervisor Callaway** - feels Robert Pachinger has brought it back already and if this is his desire, I feel I need to support him even though I agree with some of Supervisor Stopper's concerns. **Chair Folendorf** - I support Supervisor Stopper's concerns.
- **Re deficit - Supervisor Garamendi** - need to give CAO and dig into this and set this straight because I feel the structural deficit is misleading. **Supervisor Tofanelli** - agrees with Supervisor Garamendi. It is time we address it and with help of Craig and Marcos we can go forward with a plan. Understand it will take time but we should have a plan moving forward to reduce it. **Supervisor Stopper** - I agree with fellow supervisors. **Craig Pedro - Interim CAO** - sees this as essential to the financial health of the county and will help to try to make the county grow and is up to the challenge along with all the department's assistance. We have a new day and opportunity to look at this differently.

**Motion to approve action item with recommendations stated and be brought back at a later time for further discussion - Passed - 5-0.**

### **Supervisor Announcements**

- **Supervisor Callaway** - Had a CSAC Board of Directors meeting a week ago, Prop 27 which allows online wagering, CSAC voted to oppose Prop 27. I abstained because I hadn't discussed it with the BOS. Asking BOS if they want to make a recommendation on this. RCRC is not going to deal with Prop 27. Prop 31 which would prohibit sale of flavored tobacco. CSAC took support position on that and I voted to support that because our mental health department supported this. A yes is a support to opposing this proposition. Easy smart pay program - can I pay my taxes on a monthly basis instead of twice a year. There is a program and now available for all counties to allow our residents to pay taxes monthly.
- **Supervisor Garamendi** - Art Walk opened in West Point. Railroad Flat community center continues to move forward. RCRC meeting is tonight in Napa.
- **Supervisor Tofanelli** - meeting with COG and Sheriff re cleaning up highways re programs CalTrans has available. Discussed dump day - one day when community can throw away anything other than paint, solvents and chemicals and there is no fee to community. Proposing to do this some time in October. Great opportunity for our community to get rid of items without having to pay any fees. All fees are paid by CalTrans. It is called Clean California.
- **Supervisor Stopper** - had a Solid Waste Taskforce meeting and planning more moving forward. Have a lot of good people on the Taskforce and bringing new and fresh ideas. Central Sierra Economical meeting. Moving forward with surf funds. \$5 million planning grant that could move to \$40 million plus. Looks like we will be getting this grant. Cert funds - haven't received yet.
- **Chair Folendorf** - will be attending RCRC. Have some openings on Fish & Wildlife Commission. Encourage folks to put in an application. CCWD is having a town hall in Copper to update the community.