

Calaveras County BOS Meeting - 01.23.24

Staff Announcements

- None

Recognition and Acknowledgments

3. Proclamation - Health and Human Services Agency (ID # 7721) Adopt a Proclamation proclaiming January 2024 as Mentoring Month in Calaveras County.

- **Supervisor Stopper** read the proclamation.
- **Maylee Johnson - Deputy Director of Social Services** - CASA mentors and volunteers have been vital to a lot of our children. Having consistent support of adults has been invaluable.
- **Kaila Gaffney - Manager of CCOE Youth Mentoring Program** - youths are matched 1-1. We provide training and mentors/mentees spend at least two hours together per week for one year. We do a lot of fun activities. Mentees learn to improve self-confidence and their future. We receive funds from CCOE, grants and other sources. We are always looking for mentors.
- **Sarah Roberts - CASA** - humans are social animals, the best way to overcome stress and negative situations is by interactions with others. This program is so needed in our county. This program is free to the mentees. We need more volunteers.
- **Terry McBride - D2 - New CA** - my mom helped start Big Brothers and Big Sisters. This is a wonderful program and I hope people will volunteer for this program. Mentors are invaluable.

Motion to approve Proclamation - passed 5 - 0.

General Public Comment

- **Terry McBride - D2 - New CA** - want you to read and know your constitution. Calaveras County General Election - bring an ID, join us for a Town Hall on Tuesday, 5:30 p.m. to 7 p.m. at Round Table in Angels Camp. Read from a written statement re Governor Newsome committing treason.
- **Bonnie - Double Springs** - I'm not sure who to thank but someone put speed contraptions on the side of the road, I want to thank whoever did this. The traffic is way down and going slower, it has made a huge difference. Re campers on side of the road, maybe we can give them a voucher to go to a campground for one night for free. Then they could stay and pay for it or leave.
- **Debbie Rojas - Assemblywoman of New CA State** - picked up where Terry McBride left off. Read from a written statement re Governor Newsome committing treason.
- **Russ Thomas - Chairman of Calaveras County Water District** - there is never a close and long relationship between BOS and members of CCWD. There should be on-going discussions between our respective boards. Throwing out the olive branch.

Consent Agenda

4. Minutes of Board of Supervisors – Regular Meeting – Dec 12, 2023 8:00 AM

5. Minutes of Board of Supervisors – Regular Meeting – Jan 9, 2024 8:00 AM

6. Agreement - Administrative Office (ID # 7726) 1) Award RFP 23-1040-10-918 for the Behavioral Health Building Architectural and Engineering Services; 2) Authorize the Board Chair to execute an Agreement with 19six Architects for the Behavioral Health Building Architectural and Engineering Services an amount not to exceed \$1,383,830 with a term ending June 30, 2026; and 3) Authorize the County Executive Officer, or designee, to sign amendment(s) to the Agreement, if any, so long as it does not affect the not to exceed amount.

7. Action Item - Clerk-Recorder/Archives & Museum (ID # 7720) At the recommendation of the Calaveras County Historical Society, approve the transfer and donation of Native American artifacts worth an estimated \$3,000 to the MACT Health Board, a non-profit Tribal Corporation, for its new Native American cultural museum located in Angels Camp.

8. Action Item - Clerk of the Board of Supervisors (ID # 7737) Appointment of applicants to serve on various Committees, Commissions, Advisory Boards and County Service Areas.

9. Action Item - District 1 (ID # 7732) Make a public benefit finding and approve Supervisor Tofanelli's request to redistribute \$1000 of District 1 Travel Fund allocation to the Rotary of San Andreas. Requires a 4/5 vote of the Board.

10. Agreement - Health and Human Services Agency (ID # 7722) Authorize the Board Chair to execute Amendment 01 to the Agreement with Rite of Passage Adolescent Treatment Centers and Schools, Inc. for the provision of specialty mental health services, increasing the not-to-exceed amount to \$750,000 per fiscal year over the period of July 1, 2022 through June 30, 2024, to be utilized on an as-needed basis, and incorporating new payment reform rates and Medi-Cal requirements.

11. Agreement - Health and Human Services Agency (ID # 7723) Authorize the Board Chair to execute an Agreement with Grace Home II for the provision of board and care services in an amount not to exceed \$50,400 for the period of January 1, 2024 through December 31, 2024.

12. Action Item - Health and Human Services Agency (ID # 7735) Authorize the Board Chair to sign a Certificate of Compliance for the Subvention Program with the California Department of Veterans Affairs for Fiscal Year 2023-24.

13. Action Item - Health and Human Services Agency (ID # 7736) Authorize the Board Chair to sign a Certificate of Compliance for the Medi-Cal Cost Avoidance Program with the California Department of Veterans Affairs for Fiscal Year 2023-24.

14. Agreement - Public Health (ID # 7730) Adopt a Resolution authorizing the Board Chair to approve the Agreement Funding Application CHVP 23-05 for State General Funds to implement an evidence-based home visiting program through the California Department of Public Health, Maternal, Child, and Adolescent Health (MCAH) Division resulting in additional revenue of up to \$426,765 in Fiscal Year 2023-24.

15. Ordinance - Human Resources (ID # 7728) Adopt an ordinance repealing the portion of Ordinance 2251 codified as County Code Section 2.64.575, the County Alcohol/Drug Abuse Policy, and authorize summary publication.

16. Agreement - Public Works (ID # 7724) Authorize the Board Chair to execute Amendment 10 to an Agreement with Dewberry Engineers Inc. increasing the maximum amount payable by \$379,925 for a total amount not to exceed \$2,576,445.93 for the term of September 1, 2018 through December 31, 2024.

17. Agreement - Public Works (ID # 7671) Authorize the Board Chair to execute Amendment 02 to the Agreement with Dokken Engineering, Inc. for final design, right-of-way, and construction support services of the Calaveritas Road Bridge Rehabilitation Project, increasing the maximum amount payable under this Agreement by \$23,313 to an amount not to exceed \$580,926.

- **Adam Lewis - requested to remove item #8.**

Motion to approve consent items 4 - 17 with the exception of 16 - passed 5 - 0.

Item #16

- **Adam Lewis - Miwok tribal member, culture resource specialist** - re Wagon Trail - would like to pull item #16. I have been working with the county on this project since inception. We have concerns re cost cutting items. We did our best to accommodate the work plan with Sukut, then things were cut in 1/2, hourly wages were cut, we have questions re this. We need to come forward with an agreement so it doesn't die out.
- **Debra Grimes - Miwok Tribal Vice Chair, Tribal Culture Resource Specialist** - here to build and have a wonderful relationship. We want to work together in a professional manner. We have engaged in this project with CalTrans since adoption. The tribe had a year budget. We have removed burials and artifacts on this project. There is equipment ready to run. We oppose the budget being presented to you. We oppose the cut to the hourly rate.
- **Robert Pachinger - Director of Public Works** - I am sorry we are having this difficulty. We have been working hard to preserve the cultural history and we remain committed to honoring the cultural history. We have to balance the work with what we have in our budget. There are still some unknowns and changes in schedule. We wanted to process this amendment to keep it funded. The issue with the rate is we requested justification for it, watch the budget. The rate provided to us was by CalTrans which is the rate that is used. This is the source of the issue now. The tribe has told us that there is updated rates and CalTrans is looking at it too. We are ready to honor the rates agreed upon. Currently, the difference is about a 35% increase. Trying to keep funding for the cultural work that needs to take place now.
- **Howard ZaBelle - DuBerry - Consultant** - History - last 8 months involved in project, developed good working relationship with the Tribe, Adam and Debra. We discussed amendment for next construction season 2024, agreed upon 6 months of earth disturbing activity. We are estimating how we think the season will go. We asked CalTrans re their approval rate which was lower, about 30%. We need to keep construction moving this year. We haven't been able to come to agreement re rate.
- **Supervisor Stopper** - it is valuable that the tribe is working on this with the county. Re cultural artifacts, there have been many found, cost more than predicted from the beginning. CalTrans going rate is what is in document. **Howard ZaBelle** - yes. **Supervisor Stopper** - moving forward and we know things change, if there is a future change, we will be brought back another amendment and approve it, correct. **Howard ZaBelle** - yes.
- **Chair Garamendi** - DuBerry is responsible for the budget. This contract is between DuBerry and the Miwok Tribe. You had this budget and the rate that was higher. We worked hard to get this budget. Now you are brining this to the BOS to fix. I feel it is your problem, not ours. **Howard ZaBelle** - when budgets were developed for additional monies, the assumption for cultural monitoring was less than what the estimate is from the tribal monitors. **Chair Garamendi** - you were paying the current rate then are now budgeting at CalTrans rate. **Howard ZaBelle** - I don't know what was established what was done prior to my arrival.
- **Supervisor Stopper** - in talks with Matt, there is change orders and part of the contract, there was extra money put it on the prediction of the budget because we were already above budget. Are we above that percentage already. **Howard ZaBelle** - we are not but with the current request we would be above the numbers. What happened after that \$14M, a lot more artifacts were discovered. I understand the concern, this is a moving target, we are doing our best to manage everything and cost.
- **Supervisor Tofanelli** - originally we were told we needed \$10M to finish project, then CalTrans bumped it up to \$14M. We are already over budget and wouldn't be close to completing the project. Is \$14M going to be enough. **Howard ZaBelle** - this is a moving target.
- **Supervisor Huberty** - I disagree, the goal posts have changed numerous times. The BOS fought very hard to get the extra money and feels like you are throwing this back at us.

- **Supervisor Folendorf** - in all of these references the BOS brings up, it was never told that we were taking money out of RIM. Why wasn't that fully clarified in the budget with the RIM funds. We worked hard programming this money for years. Why wasn't that red flag raised. I kept asking about RIM and the impact. **Robert Pachinger** - no money has come out of RIM yet. The work was invoiced to CalTrans. Some local match that we have coming out of RIM but nothing spent yet. **Supervisor Foldendorf** - moving forward, if not able to get something from CalTrans, halting project for another year is not in the best interest of anyone. Will we have to ask CalTrans for another monitoring. I have no appetite for stopping the project now. **Robert Pachinger** - we are not contemplating that occurring.
- **Supervisor Huberty** - can you explain to audience what RIM funds are. **Robert Pachinger** - RIM (Road Impact Mitigation) funds were put together in 2004, certain roads included in road mitigation. Impact of new development supposed to pay for new increases in roads. Re Wagon Trail - identified as a project within the RIM program. Collected from new development can be used for these projects.
- **Supervisor Stopper** - I support keeping it in the county and agree with Supervisor Foldendorf. **Debra Grimes** - we want to resolve this. We don't want to hold the project up. Our rates are same as PG&E, CCWD. In 2024, we can stay at rate before for 2024, not here to hold up project. You can't come up to ask other tribes to come in. We want to move forward but don't take funding away from our hourly rate. CalTrans has shared our negotiations that someone didn't bring our rate correctly. **Supervisor Stopper** - they have a going rate they are willing to do moving forward. **Howard ZaBelle** - since the last amendment we want to reduce it.
- **Chair Garamendi** -when we are this far down the road, this is not good. I look forward to seeing next amendment .
- **Supervisor Folendorf** - we need to keep the project moving. Move item on contingency to get back to the BOS re our concerns.
- **Chair Garamendi** - upset we are doing this in January versus the Fall.

Public Comment

- None

Motion to approve consent item 16 - passed 3 - 2 (no - Chair Garamendi & Supervisor Stopper)

Regular Agenda

18. Informational Item - Administrative Office (ID # 7727) Receive a Presentation from LDA Partners, Inc., Regarding the Phase 1 Programming and Conceptual Design for the New Animal Shelter.

- **Jamie from Animal Control introduced Eric - ADL Partners re Phase 1 - power point presentation presented. Please review for detailed information.**
- **Project Goals:** Facility serving modern needs; durable; quality; energy efficient; comprehensive animal care; be a welcoming environment; animal and staff well-being.
- **Core Principals: 1) City/County "Perspective"** - The City/County performing the services it is mandated to do. **2) Moral "Perspective"** - Beyond the government mandate, there are some things that we are morally bound to do. **3) Animal & Human Environment "Perceptive."**
- **Program:** Program verification to right-size the facility. Gather & review statistical data. Extrapolate to establish animal population trends. Review agency organization and understanding your operational goals. No one size fits all solution. Find the right fit for your budget, operations, and future goals. Listen.
- **Provided chart** (too small to read) to show the sizes of the various spots for entry, animals, etc. Have 10,000 square feet allocated and how to put together in a cohesive plan.

- **Current shelter** - provided slides of the current shelter which was typical in the 70s but doesn't meet current standard for animal care. Standards are enforced through litigation and always evolving. Established minimum size for dog and cat habitat, draining, etc.
- **Showed slides of new animal shelters throughout the country.** Try to create a place of entry where people can come and bring their animals in and out.
- **Cat habitats:** like to see cats upfront, privacy sections, double sided-horizontal and vertical, more rooms with fewer cats per room, natural light/visual enrichment. Showed pictures of several examples.
- **Noise Control:** Having the number of dogs reduces the noise by 3 db. One quarter of the dogs by 3 db. This decision should be based on usage functionally and the best way to manage dogs. Look at noise reduction from application of sound-absorbing panels can be approximately 8-10 db which correlates to 1/2 noise reduction. The ceiling is more important than the walls.
- **Dog habitats:** Larger/able to accommodate longer stays; double-sided indoor/outdoor; durable finishes/easy to clean and maintains drain and floor slopes; more rooms with fewer dogs per room; lots of daylight/visual enrichment. Showed pictures of several examples.
- **Staff & Animal Support Areas: Laundry** - commercial washers and dryers; utility sinks; circulation - dirty in, clean out; clean laundry storage. **Dish Washing/Food Prep:** commercial dishwasher; stainless steel counters; circulation - dirty in, clean out. **Support** - grooming; animal intake procedures; separation & isolation.
- **Staff & Animal Support Areas: Multi Purpose** - vaccination clinics; staff education; community meeting; revenue generation. **Exotics/Small Mammals** - reptiles; birds; hamsters, guinea pigs, etc. **Materials/Building Systems** - wall/floor protection; shelters take a beating; durability; air exchange.
- **Outside of Building:** spaces for people to meet animals, animals to go out and get exercise, park like setting. **Parking lot** - don't want public to go, staff parking, storing dead animals, etc. **Sally Port** - an area where if the animal gets out you are running outside, it is between the building and the outside.
- **Large & Small Animals:** Adoption and rehabilitation; paddocks and outdoor spaces; appropriate habitats; daylight and fresh air.
- **Building Design & Animal Care:** provided pictures of materials, sizes, drainage, etc.
- **Proposed Site/Site Options:** Reviewed 2 sites to evaluate potential cost savings: utilities, grading, fire access, public access. Reviewed Phasing opportunities at both locations. **Site 1** is up on hill overlooking the courthouse. **Site 2** is where the existing location, Jeff Tuttle off of the courthouse is and the preferred sites.
- **Building layout:** Come in off Jeff Tuttle into public parking lot, over existing administration modular site. Immediate need is the dog housing. Phase 1 should be intake and dog housing. See slides for layout design.
- **Building costs:** too small to read, see slides. Contractor will be ultimate authority in pricing. Project cost for intake support and dogs including site would be approximately \$7M. Full build out estimate is approximately \$10.8M. Recommending Phase 1 now.
- **Alternate site on hill where existing large animal site is:** dog housing is a bit reduced, cat and administration area. This scenario is more expensive. Even with reduced area of dog housing, we are looking at approximately \$8M. We have additional grading, fire roads, etc. Facility is out of site out of mind. Full build out on first site would be approximately \$13M, soft cost over \$2M. Facility up on hill increases project cost considerably which is why we are recommending site off Jeff Tuttle Road.
- **Supervisor Tofanelli** - Phase 1 - \$7M, re top view of entire area, what does this include? **Eric** - would need to relocate administration and FOCAS during construction. These are included in soft cost. We didn't identify where they would go.
- **Teresa Hitchcock - CEO** - we currently have \$4M for the project, so we are looking for direction on how you would like us to proceed.
- **Supervisor Stopper** - I understand the extra \$200,000 we got from our Senator may be hold due to the state budget. **Teresa Hitchcock**- yes, it is on hold. **Supervisor Stopper** - we all

love animals and understand we want to get this project done. Re capital funds - is there nothing else there other than the \$4M. Any other way to pull in funds to at least get through Phase 1 if not the entire project.

- **Teresa Hitchcock** - re budget - would like to see how we can manage this project through the budget. We have very little discretionary funding. \$3M is approximately 10% of discretionary funding. We are still working through our structural deficit. Would like to look at this project but feel we may only be able to get through Phase 1, not the entire project this budget year.
- **Supervisor Stopper** - let's get a correct accounting and try to move forward as much as we can to get this project done.
- **Supervisor Huberty** - re \$200,000, those funds have been frozen, will hear back in May if they will be distributed or not. Thank you administration for getting us this far. I don't know any other facility in Calaveras County where employees work in such sub-par conditions.
- **Teresa Hitchcock** - will bring a plan re how we might use funding through general fund and move it back so we can hold on to money for the animal shelter longer.
- **Supervisor Huberty** - many animals come from abhorrent situations, sick, injured, etc. and important we take action as soon as we can. We need something useful, maybe not so grand. We do typically get large dogs.
- **Supervisor Foleandorf** - thank you for the presentation. BOS is committed to seeing this project get done. We are going to have to make hard decisions. Is the rest of the county staff willing to help us make this project happen. We will have to make cuts on other services or wants. I just want to put that on the table now because it will get uncomfortable in a few months.
- **Supervisor Tofanelli** - designs may change once engineered drawings are done. The price could go up or down, correct. **Eric** - yes. **Supervisor Tofanelli** - there might be some ways we could reduce some costs. State held back funds during the recession as well. Re the \$200,000, they can do that to us again. They are withholding from schools too. We may not know until June. I am 100% behind this project but would like to know what the state is going to do, go out get the drawings done so we can get a handle on the costs for the entire project. I am in favor of trying to get this done at once.
- **Supervisor Stopper** - I agree with Supervisor Tofanelli. The design will tell us what to look for and a step towards realization of the project.
- **Chair Garamendi** - We put the \$4M on this project, we could have put it on roads, parks. I didn't think \$4M wouldn't be enough. Let's figure out budget, put on hold until we get that information and direct staff to move to phase 2 to draft project.
- **Teresa Hitchcock** - agrees with public best option would be to build the entire project but I don't know that we have the capacity to do that. We would like to do the dogs for sure because that is the greatest need.
- **Eric** - looking at putting the dogs with administration because they are modular and moveable. Even if we can't do all phases, we want to set up for the future so we don't have to go back and reinvent the wheel.
- **Supervisor Tofanelli** - I think we need the drawing first, possibly do grading, plumbing, etc. but we need the drawings to figure out costs.
- **Supervisor Stopper** - I agree with Supervisor Tofanelli. If drawing is done, we can work into budgetary phase. What is cost of drawings. **Eric** - entire one phase out building - approximately \$800,000 for drawings.
- **Chair Garamendi** - having a hard time spending \$800,000 on a plan we are going to put on a shelf and wait for more money.
- **Consensus to move forward toward construction document and how we are going to fund and build. Teresa Hitchcock will bring back to the BOS.**

Public Comment

- **Jim Wickman - Angels Camp** - this is a very much needed project. Would like BOS to consider the entire project now versus doing it in phases. If you wait longer, the prices may be higher like the Wagon Trail project.

- **Russ Thomas** - don't lose site that you have opportunity for large intact and access to road in the back. Excited about having this project finally coming to fruition.
- **Lisa Medina - Environmental Management Agency Director** - thanked administration team getting this in motion, the presentation was awesome. A new shelter will benefit not only the animals but positive morale impact on the humans/volunteers. This would provide a welcoming setting for people wanting to adopt animals.
- **Female** - 90% of dogs are big dogs, it is imperative we need a lot of large kennels.
- **Marti Wickman - Angels Camp** - I have dogs and am a dog lover. I see adds where dogs are abandoned and the current shelter doesn't have the room for the dogs. This facility is very much needed. The facility where people can see from the road is better, I agree with the consultant's recommendation.
- **Joanne Elliott - FOCAS Board** - has been a project since I have come to Calaveras County 12 years ago. Presentation was excellent. People have come to the shelter wanting to adopt animals and didn't due to smell, noise level. We lose people who want to find dogs or cats and can't handle the situation. They have nightmares. I hope you consider finishing it because we need it. I visited new animals shelters and it is so welcoming, you feel the love, and the animals are not stressed, I hope you consider doing the entire project.

Informational Item Only - Passed - 5 - 0.

19. Resolution - Human Resources (ID # 7733) Approve a resolution establishing a new (non-DOT) County Drug Free Workplace Policy, effective February 23, 2024.

- **Judy Hawkins - HR Resource and Risk Management Director** - bringing a new drug free workplace policy. Will be in effect in 30 days and meets all requirements under state and federal laws. Policy lays out better definitions for what that means and lays out reasonable suspicion testing. It is not a catch all but making sure our employees are not under the influence and are doing their jobs. Management will have appropriate training re alcohol and drugs (both legal and illegal). Policy lays out that we will not discriminate against off duty use but insuring employees are not impaired on duty.
- **Supervisor Folendorf** - the off-duty is different for those with DOT license. **Judy Hawkins** - policy clarifies off-duty use for DOT employees which is a separate policy.
- **Judy Hawkins** - re cannabis - testing is still evolving. There is a saliva test that detects effects from THC. The employee must meet the reasonable suspicion test. There is a list of why the manager feels the person is impaired. The person is placed on admin leave, we are not trying to terminate employees, want them to get assistance but there may be reasons that are egregious. Law enforcement falls under a different policy.
- **Supervisor Huberty** - what about CBD, people who take it for pain and/or sleep. **Judy Hawkins** - it depends, the union and I came to agreement but we did a lot of research. A lot of CBD is not lab confirmed. We work with the employees and investigate and provide appropriate services and assistance for employees and managers.

Public Comment

- **None**

Motion to approve Resolution - Passed - 5 - 0.

Supervisor Announcements

- **Supervisor Stopper** - nothing to report
- **Supervisor Tofanelli** - re our general plan, adding an ordinance in place to protect historic buildings and land. When done, needs to go to Planning Commission first then comes to us. Things going on that we should have staff prepare an urgency ordinance that addresses this issue re historical buildings and lands. Several counties have had these documents in place due to length of time it takes to get permanent ordinance in place. I would like to ask if we can have staff put an emergency ordinance in place. **Sarah Edwards - County Counsel** - given

zoning code up and ordinances coming out of Planning, I agree with Supervisor Tofanelli.

Supervisor Garamendi - seeking direction from BOS re this matter. Supervisor Stopper - will this hold up any other parts. **Sarah Edwards** - I think we can get the urgency ordinance fairly quickly and not effect others. **Supervisor Stopper** - I can support this. **Chair Garamendi** - consensus to bring forward an urgency ordinance and see the hardwood ordinance as well which was already put forward.

- **Supervisor Folendorf** - new acting District for CalTrans is Grace ?. Has been with us a long time as a staffer. February 8th will have another meeting in Tuolumne County OES re structure for producers.
- **Supervisor Huberty** - On the 11th attended the Agency on Aging meeting, on the 22nd attended the CSCSA meeting, both agencies are healthy and doing well.
- **Chair Garamendi** - attended RCRC last week, hope to break ground this year. I joined the sub-committee for the Williamson Act 2.0. Sit down and talk with Dept. Of Conservation and hopefully get some funds back to the county.