BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE

May 15, 2012
9:00 a.m.

The Board of Supervisors of the County of Tuolumne, State of California, met in regular session on the foregoing date with Supervisors: Richard H. Pland, Chair, Randy Hanvelt, Vice Chair; Elizabeth Bass, Evan Royce, and John L. Gray, being present. Also present were County Administrator Craig L. Pedro; Gregory J. Oliver, County Counsel; and Alicia L. Jamar, Chief Deputy Clerk of the Board.

Absent: None

Supervisor John Gray, led the Pledge of Allegiance.

The Board observed a moment of silence in honor of Millie Beranek who recently passed away.

Oral Comm-Thank You

Kathy Fascila thanked Supervisor Royce for attending a Day of Prayer and thanked the County for resurfacing Campo Seco.

Oral Comm-IHSS

Michael Patterson; Heather Star; and Laurie Zimming addressed the Board and requested the In Home Supportive Service (IHSS) Care program be improved.

Oral Comm-Elections

Deborah Russell, County Clerk and Auditor-Controller, addressed the Board and announced specific dates and deadlines related to the upcoming Primary Election.

Oral Comm-Library

Lynn McCormick, Librarian I, addressed the Board and announced the Summer Reading Club at the Tuolumne County Library.

Oral Comm-Non-Agenda Closed Session Litigation Franco vs. TC

Gregory Oliver, County Counsel, requested consideration of adding a non-agenda item to hear a Conference with Legal Counsel - Existing Litigation (Authority: Government Code §54956.9(a) *Patrick Franco* v. County of Tuolumne, et al., Tuolumne County Superior Court Case Number CV56059.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by unanimous vote, to find that the matter arose subsequent to the posting of the agenda and is of sufficient urgency to be heard today, and the matter was placed on the agenda as item number 27.

Consent Calendar

On motion of Supervisor Gray, seconded by Supervisor Hanvelt, the following items on the Consent Calendar were approved by unanimous vote.

Minutes

1. Minutes of the meeting held April 17, 2012.

Ordinance Summary

2. Finding that summaries of Ordinance Nos 31-99-3202 were published May 4, 2012, in The Union Democrat as required by law.

CIP-EECBG Lighting NOC

3. Approving the Notice of Completion of the Energy Efficiency Conservation Block Grant Lighting Retrofit and Energy Grant HVAC Projects.

Agree-Lease w/ Yosemite Chamber

4. Approving approving the Lease Agreement with Yosemite Chamber of Commerce for the rental of a portion of Tuolumne County's Park and Ride Facility in Groveland, authorizing the Chair to sign.

Reso-County Arts Council

5. Resolution No. 33-12, designating the Central Sierra Arts Council as the official County Arts Council and State local partner in order to receive State grant funding.

Airport Land Use Appt.

6. Approving the appointment of Michael Gustafson to the Airport Land use Commission for a term to expire May 1, 2016.

Agree-Network Providers, LLC

Steve Boyack, Assistant Director of Human Services Agency, requested consideration of approving an Agreement with Network Providers LLC for ground ambulance transportation of Sierra Conservation Center inmates, commending June 1, 2012, and authorizing the Chair to sign, responded to questions from the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Gray, and carried by unanimous vote, approving an Agreement with Network Providers LLC for ground ambulance transportation of Sierra Conservation Center inmates, commending June 1, 2012, and authorizing the Chair to sign

Commendation-Patsy Knox

The Board considered approving a Certificate of Recognition for Patricia Knox upon her retirement after 40 years of service to the County of Tuolumne.

It was moved by Supervisor Gray, seconded by Supervisor Hanvelt, and carried by unanimous vote, to approve the Certificate of Recognition for Patricia Knox upon her retirement after 40 years of service to the County of Tuolumne.

The Chairman and Ken Caetano, Assessor-Recorder, presented the Certificate of Recognition to Ms. Knox.

Craig Pedro, County Administrator, presented Ms. Knox with a commemorative plaque.

Ms. Knox thanked the Board.

Commendation-Jennifer Mundy

The Board considered approving a Certificate of Recognition for Jennifer Mundy on receiving a Meritorious Service Award from the California Emergency Medical Services Authority for providing superior training and EMS expertise for over 20 years.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by unanimous vote, to approve the Certificate of Recognition for Jennifer Mundy on receiving a Meritorious Service Award from the California Emergency Medical

Services Authority for providing superior training and EMS expertise for over 20 years.

The Chairman and Clarence Teem, EMS Coordinator, presented the Certificate of Recognition to Ms. Mundy.

Ms. Mundy thanked the Board.

Commendation-Model A Ford Club Anniversary

The Board considered recognizing the Model A Ford Club of American and the Northern California Regional Group 50th year anniversary.

James Costello addressed the Board and responded to questions from the Board.

On motion of Supervisor Hanvelt, seconded by Supervisor Gray, the following resolution was adopted by unanimous vote.

Resolution No. 34-12
Recognizing the Model A Ford Club of American and the Northern California Regional Group 50th year anniversary.

Proclamation-MS Week

The Board considered proclaiming May 20-26, 2012 as Emergency Medical Services Week in Tuolumne County and responded to questions from the Board.

On motion of Supervisor Gray, seconded by Supervisor Bass, the following resolution was adopted by unanimous vote.

Resolution No. 35-12
Proclaiming May 20-26, 2012 as Emergency Medical Services Week in Tuolumne County.

Mr. Teem thanked the Board.

Proclamation-Foster Care Mo

The Board considered proclaiming May 2012 as Foster Care Month in Tuolumne.

On motion of Supervisor Bass, seconded by Supervisor Hanvelt, the following resolution was adopted by unanimous vote.

Resolution No. 36-12
Proclaiming May 2012 as Foster Care Month in Tuolumne.

Michelle Clark, Supervisor of IHSS and Lynn Nolte, Program Manager of Department of Social Services, thanked the Board.

Presentation-Fire and First Responders

Mr. Pedro addressed the Board and gave a status report on Fire and First Responder study, and responded to questions from the Board.

Discussion ensued.

Bill Caldera of Manteca Ambulance; Todd McNeal, Twain Harte Fire District Chief; Randy Miller, Mi Wuk/Sugar Pine Fire District Chief; and Shane Warner, Groveland Fire Department Chief, addressed the Board.

No action was required.

The Board recessed at 10:41 a.m. and reconvened at 10:52 a.m.

Agree-Amend Fire Protect and EMS

Maureen Frank, Deputy County Administrator, requested consideration of approving the Amendment to the Fire Protection and Emergency Services Agreement with Strawberry Fire Protection District.

It was moved by Supervisor Royce, seconded by Supervisor Hanvelt, and carried by unanimous vote, to approve to approve the Amendment to the Fire Protection and Emergency Services Agreement with Strawberry Fire Protection District, authorizing the Chair to sign.

Year End Budget 2011/12

Daniel Richardson, Deputy County Administrator and Mr. Pedro requested consideration of adopting the FY 2011-12 Year-End Budget Review and associated budgetary adjustments, and announcing that a 4/5 vote is required, and responded to questions from the Board.

Tracie Riggs, Administrative Analyst, responded to questions from the Board on appropriations in the Drug & Alcohol cost center.

Mr. Pedro responded to questions from the Board on the status of potential sales of County property.

It was moved by Supervisor Bass, seconded by Supervisor Gray, and carried by unanimous vote, adopt to the FY 2011-12 Year-End Budget Review and associated budgetary adjustments included in the Mr. Pedro and Mr. Richardson's report of May 9, 2011 (sic), including appropriations in Behavioral Health be reduced by $325,000 and increase appropriations in the Drug & Alcohol cost in the amount of $325,000, authorizing the Auditor/Controller to make minor year-end budget adjustments not exceeding $10,000.

BOS Goals-2012 1st Quarter Rpt

Mr. Pedro requested consideration of approving the 1st quarter status report on the Board of Supervisors Goals of 2012 and responded to questions from the Board.

Beverly Shane, Community Resources Agency Director, responded to questions from the Board.

It was moved by Supervisor Gray, seconded by Supervisor Bass, and carried by unanimous vote, to approve approving the 1st quarter status report on the Board of Supervisors Goals of 2012.

CRA-TC Hillside and Hilltop Dev. Guide Refer to Planning Comm

Adam Paszkowski, Community Resources Agency Senior Planner, requested consideration of referring the comprehensive update of the Tuolumne County Hillside and Hilltop Development Guidelines to the Planning Commissions for review and recommendation after conducting noticed public hearings and responded to questions from the Board.

Ms. Shane and Mr. Pedro responded to questions from the Board.

Discussion ensued.

Ms. Fascilla and Ron Kopf addressed the Board.

Ms. Shane responded to questions from the Board.

It was moved by Supervisor Gray and seconded by Supervisor Bass, to refer the Tuolumne County Hillside and Hilltop Development Guidelines to the Planning Commissions for review and recommendation after conducting noticed public hearings and include the map.

Ms. Shane responded to questions from the Board.

Motion carried unanimously.

The Board recessed at 12:05 p.m. and reconvened at 1:30 p.m.

CIP-Jamestown Landfill Storm Drain Repair-Call for Bids

Tanya Allen, Civil Engineer, requested consideration of approving Plans, Notice to Bidders, Special Provisions, Proposal and Contract (Bid Book) for the Jamestown Landfill Storm Damage Repair project, and issuing a call for bids to be due on June 7, 2012, at 2:00 p.m. and responded to questions from the Board.

Ms. Shane responded to questions from the Board.

It was moved by Supervisor Bass, seconded by Supervisor Gray, and carried by unanimous vote, to approve the Plans, Notice to Bidders, Special Provisions, Proposal and Contract (Bid Book) for the Jamestown Landfill Storm Damage Repair project, and issuing a call for bids to be due on June 7, 2012, at 2:00 p.m. on the third floor of the ANF Building at 48 W. Yaney, Fourth floor, Sonora, CA 95370.

CIP-Special District Pavement Rehab 2012-Call for Bids

Sharon Mikesell, Engineering Tech II, requested consideration of approving the Bid Book for Contract #1640, "Special Districts Pavement Rehabilitation 2012" and issuance of a call for bids to be due on June 7, 2012, at 2:15 p.m. and responded to questions from the Board.

It was moved by Supervisor Gray, seconded by Supervisor Hanvelt, and carried by unanimous vote, to approve the Bid Book for Contract #1640, "Special Districts Pavement Rehabilitation 2012" and issuance of a call for bids to be due on June 7, 2012, at 2:15 p.m. on the third floor of the ANF Building at 48 W. Yaney, Fourth floor, Sonora, CA 95370.

Legislation - SB1220

Sheila Shanahan, Housing Program Coordinator, requested consideration of approving correspondence supporting SB 1220, the Housing Opportunity and Market Stabilization (HOMeS) Trust Fund Act and responded to questions from the Board.

Discussion ensued.

Carlyn Drivdahl, Deputy County Counsel and Ms. Shane responded to questions from the Board.

It was moved by Supervisor Royce to not approve the correspondence supporting SB 1220, the Housing Opportunity and Market Stabilization (HOMeS) Trust Fund Act.

The motion died for lack of a second.

It was moved by Supervisor Bass, seconded by Supervisor Gray, and carried by 3-2 vote with Supervisors Hanvelt and Royce dissenting, to approve correspondence supporting SB 1220, the Housing Opportunity and Market Stabilization (HOMeS) Trust Fund Act, authorizing the Chair to sign.

CRA-Home Rental Project Appl - Michaels Org.

Ms. Shanahan requested consideration of approving in concept the County's submittal of a HOME Rental Project Application in an amount not to exceed $5,000,000 on behalf of the Michaels Organization to rehabilitate the Tuolumne Apartments and responded to questions from the Board.

Ms. Drivdahl responded to questions from the Board.

Kathleen Paley of the Michaels Development Company responded to questions from the Board.

It was moved by Supervisor Gray and seconded by Supervisor Bass, to adopt the following resolution.

Resolution No.

Approving in concept the County's submittal of a HOME Rental Project Application in an amount not to exceed $5,000,000 on behalf of the Michaels Organization to rehabilitate the Tuolumne Apartments.

Mr. Pedro addressed the Board.

Supervisor Gray withdrew the motion.

Discussion ensued.

Ms. Paley and Ms. Shanahan addressed the Board.

It was moved by Supervisor Bass, seconded by Supervisor Gray, to adopt the following resolution.

Resolution No. 37-12

Approving in concept the County's submittal of a HOME Rental Project Application in an amount not to exceed $5,000,000 on behalf of the Michaels Organization to rehabilitate the Tuolumne Apartments.

Ms. Paley addressed the Board.

Motion carried unanimously.

Reports-Royce

Supervisor Royce reported that on May 3, 2012, he attended the Day of Prayer at St. Matthews; on May 8th, he met with Judge Donald Segerstrom; on May 9th, he attended the Association of Realtors meeting and attended the Tuolumne City Sanitary District meeting; on May 10th, he attended the Calcutta; on May 12th he attended a Law School graduation; and on May 13th he went to the Mother Lode Rodeo.

Reports-Hanvelt

Supervisor Hanvelt reported that on May 2, 2012, he attended the Paso Robles Agriculture Tour; on May 3rd, he attended the Board of Supervisors Housing Policy Committee meeting; on May 4th, he met with constituents; met with Larry Cope, Economic Development Director and met with the Keith Lunney, Under Sheriff; on May 7th, he attended a Governmental Affairs Council (GAC) meeting; on May 8th, he met with constituents, attended a Natural Resources Committee meeting and attended a doctor's appointment; on May 9th, he met with Dennis Randall; he visited KVML and Skyline; on May 10th he attended a meeting with Mr. Cope; he attended the Sons in Retirements (SIR) Ladies Day, Central Sierra Planning Council (CSPC) and Central Sierra Economic Development District (CSEDD) meetings; on May 11th, he met with constituents; on May 12th he attended the Mother Lode Round-up Parade; on May 13th, he celebrated Mother's Day; on May 14th, he attended a Mother Lode Job Training, Blueprint Committee and Tuolumne County Local Agency Formation Commission (LAFCO) meetings.

Reports-Pland

Supervisor Pland reported that on May 2, 2012, he attended the Grand Opening of the American Wood Fibers Plant; on May 3rd, he attended the Blueprint Outreach program at Columbia; on May 7th, he attended the GAC meeting; on May 8th, he attended the Natural Resource Committee meeting and met with Susan Skalski; on May 9th, he attended the Tuolumne County Transportation Council (TCTC) meeting and the Transit Agency meeting; on May 11th, he

attended the Tuolumne County Economic Development Authority (TCEDA) meeting; and on May 14th, he attended the Blueprint Committee meeting; and reported on the status of the closure of small rural post offices and the status of the Secure Rural Schools efforts.

Reports-Gray

Supervisor Gray reported that on May 2, 2012, he attended the Grand Opening of the American Wood Fiber Plant; on May 9th, he attended the TCTC meeting and Library volunteer luncheon; May 11th, he attended the TCEDA meeting; on May 12th he attended the Indigeny Cider for the Amgen's Mayor Reception; and on May 14th, he attended the LAFCO meeting.

Reports-Bass

Supervisor Bass reported that on May 2, 2012, she attended Housing Loan Review Committee meeting and the Behavioral Health Advisory Board meeting; on May 3rd, she attended the Housing Policy Committee meeting; May 5th, she went to the Lions Club Dinner, and met with the Staff of the Tuolumne County Youth Commission; on May 9th, she attended the Librarian Volunteer Luncheon, she attended meetings regarding the Oversight Redevelopment; she met with a constituent on a land project; and on May 14th, she attended the Commission on Aging meeting.

Reports-Pland

Supervisor Pland added to his report the status of the Secure Rural Schools efforts.

Reports-Pedro

Mr. Pedro reported on the Governor's May Revise; revised on the status of AB 109 funding and legislation; reported on the 2012 Summer Recreation program; reported on the Tuolumne County Travel Impacts, 1992-2010 Report; and reported on the status of the Amgen scheduled for tomorrow May 16, 2012.

Reports-Oliver

Mr. Oliver reported on the status of the summer operations of the Dardanelle Resort; and announced his upcoming vacation schedule.

Closed Session

The Board recessed at 2:44 p.m. to Closed Session: **1) Conference with Real Property Negotiators - Price and Terms:** (Authority: Government Code § 54956.8) Negotiators: Craig Pedro, County Administrator and Daniel Richardson, Deputy County Administrator, 16 acre western portion of APN 044-430-10; **2) Conference with Labor Negotiators**: Craig Pedro, County Administrator and Bill Morse, Human Resources/Risk Manager, Ann Fremd, Sr. Administrative Analyst, (Authority: Government Code §54957.6) All Bargaining Units; **3) Conference with Real Property Negotiators - Price and Terms**: (Authority: Government Code §54956.8) Negotiators: Craig Pedro, County Administrator and Daniel Richardson, Deputy County Administrator, APN 044-430-32, located at 20044 Cedar Road, Sonora, CA 95370; **4) Conference with Legal Counsel - Anticipated Litigation:** (Authority: Government Code §54956.9(b)) - One (1) Case; and **5) Conference with Legal Counsel - Existing Litigation** (Authority: Government Code §54956.9(a) *Patrick Franco* v. County of Tuolumne, et al., Tuolumne County

Superior Court Case Number CV56059, reconvening at 3:58 p.m., the Chair announced there was nothing to report and adjourned the meeting to the next regular meeting scheduled for June 5, 2012, at 9:00 a.m.

APPROVED:

RICHARD H. PLAND, CHAIR

ATTEST:

Alicia L. Jamar, Chief Deputy
Clerk of the Board of Supervisors

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I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

ALICIA L. JAMAR
Clerk of the Board

By: