



County of El Dorado

Board of Supervisors
Department
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Placerville, California
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Minutes - Final Board of Supervisors

Sue Novasel, Chair, District V
Brian K. Veerkamp, First Vice Chair, District III
John Hidahl, Second Vice Chair, District I
Shiva Frentzen, District II
Lori Parlin, District IV

Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, December 17, 2019

9:00 AM

330 Fair Lane, Placerville, CA

ADDENDUM

There have been changes to the titles in items 4, 35 and 36.

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
and historical heritage**

This institution is an equal opportunity provider and employer.

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The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us, preferably no less than 24 hours in advance of the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on February 26, 2019, incorporated herein:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

Public comment on certain agenda items designated and approved by the Board may be treated differently with specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending upon the nature of the issue. It is the practice of the Board to allocate 20 minutes for public comment during Open Forum and for each agenda item to be discussed. (Note: Unless designated on the agenda, there is no Open Forum period during Special Meetings.)

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Chair of the Board may take the following actions:

- Step 1. Request the person adhere to Board guidelines. If the person refuses, the Chair may turn off the speaker's microphone.
- Step 2. If the disruption continues, the Chair may order a recess of the Board meeting.
- Step 3. If the disruption continues, the Chair may order the removal of the person from the Board meeting.

9:01 A.M. - CALLED TO ORDER

Present: 5 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Novasel, Supervisor Hidahl and Supervisor Parlin

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Dave Cooke of the Cold Springs Community Church gave the Invocation. Supervisor Novasel led the Pledge of Allegiance to the Flag.

Pursuant to Government Code Section 54954.2(b)(2), County Counsel requested a Closed Session item be added to the Board's Agenda. The Closed Session would be to confer with Counsel on existing litigation and the litigation title is **INSYS THERAPEUTICS, INC., U.S. Bankruptcy Court District of Delaware, Case Number 19-11292 (KG). (2/3 vote required)**

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to add Item 59 an Emergency Closed Session item (Legistar 19-1870) to today's Agenda. Passed 5-0.

- 59. 19-1870 Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: INSYS THERAPEUTICS, INC., U.S. Bankruptcy Court District of Delaware, Case Number 19-11292 (KG), Number of potential cases: (1). (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.

ADOPTION OF THE AGENDA

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Adopt the Agenda.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

9:00 A.M. TIME ALLOCATION

- 1. 19-1724** Supervisor Novasel recommending the Board enjoy the Annual Performance by the El Dorado County Holiday Singers. (Est. Time: 20 Min.)

This matter was Approved on the Consent Calendar.

APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Approve the Consent Calendar.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and separate Board action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: T. Kayes, K. Smith, R. Claire, F. DuChamp, J. Gainsborough, R. Adams, L. Knutson, B. Richart

19-1880 OPEN FORUM (See Attachment)

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. The total amount of time reserved for Open Forum is 20 Minutes.

CONSENT CALENDAR

- 2. **19-1835** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of December 10, 2019.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 3. **19-1800** Auditor-Controller recommending the Board:
 - 1) Receive and file the attached annual reports as required by SB 165 for Community Facilities District No. 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2000-1 (CFD 2000-1 South Lake Tahoe Recreation Facilities JPA), Community Facilities District No. 2001-1 (CFD 2001-1 Promontory), Community Facilities District No. 2005-1 (CFD 2005-1 Blackstone), Community Facilities District No. 2005-2 (CFD 2005-2 Laurel Oaks), Community Facilities District No. 2014-1 (CFD 2014-1 Carson Creek), and Community Facilities District No. 2018-1 (CFD 2018-1 Bass Lake Hills); and
 - 2) Adopt and authorize the Chair to sign Resolution **234-2019** accepting said reports.

This matter was Approved and Resolution 234-2019 was Adopted upon Approval of the Consent Calendar.

- 4. **19-1734** Chief Administrative Office recommending the Board ~~adopt and authorize the Chair to sign~~ approve the Final Passage (Second Reading) of Ordinance **5116** amending Title 3 - Revenue and Finance Ordinance of the El Dorado County Ordinance Code, Chapter 3.13 - Contracting Out. (Cont. 12/10/19, Item 39)

FUNDING: N/A

Ordinance 5116 was Adopted upon Approval of the Consent Calendar.

- 5. **19-1850** Chief Administrative Office recommending the Board appoint Jan Robbins, as the Interim Director of Library Services, at step 1 (\$52.53/hour), effective December 31, 2019 until the new Director of Library Services starts.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

6. 19-1843 Chief Administrative Office recommending the Board approve the Master Stewardship Agreement (MSA) and authorize the Chair to sign the MSA, pending minor changes as approved by County Counsel, memorializing the collaborative agreement between El Dorado County and the USDA Forest Service, El Dorado National Forest, providing for a variety of future landscape restoration projects within the region.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

7. 19-1841 Chief Administrative Office recommending the Board approve two sets of amendments to the Fiscal Year 2019-20 budget to reflect the Board's direction on November 19, 2019 regarding the use of General Fund contingency as well as corrections related to final FY 2018-19 Year End Close information. (4/5 vote required)

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

8. 19-1806 Chief Administrative Office, Facilities Division, recommending the Board authorize the Purchasing Agent to sign Amendment V to Agreement for Services 317-S1810 / 2704 with TerraVerde Energy, LLC to extend the term one year to December 31, 2020 for continued design and project management services related to the County's solar project with no change to compensation.

FUNDING: Accumulative Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

9. 19-1747 Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.

FUNDING: Various.

This matter was Approved on the Consent Calendar.

- 10. 19-1756** Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Declare one (1) Parklet as surplus in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof; and
 - 2) Authorize the Purchasing Agent to execute the attached agreement for the donation of the Parklet to the City of Placerville.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 11. 19-1771** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare two (2) service weapons as surplus and approve the sale of the weapons to retiring Sheriff Deputy Darren Bradley and Deputy Chief Probation Officer Steve Heggen.

FUNDING: Funding received from the sales will be deposited into the General Fund.

This matter was Approved on the Consent Calendar.

- 12. 19-1769** Clerk of the Board recommending the Board adopt and authorize the Chair to sign Resolution **236-2019** establishing the El Dorado County Commission for Youth and Families.

FUNDING: N/A

Resolution 236-2019 was Adopted upon Approval of the Consent Calendar.

- 13. 19-1699** Human Resources Department recommending the Board:
- 1) Approve the minimum wage increase for the County of El Dorado from \$12.00 to \$13.00, effective the pay period containing January 1, 2020; and
 - 2) Approve and authorize the Chair to sign Resolution **232-2019** to increase the salaries of the following classifications to the 2020 minimum wage: Elections Worker - EH, Food Services Aide, General Trainee - EH, Mental Health Aide, Park Operations Assistant, Probation Transport Driver, Student Intern - EH, Student Intern Undergrad - EH, and Transportation Officer.

FUNDING: Various.

This matter was Approved and Resolution 232-2019 was Adopted upon Approval of the Consent Calendar.

14. 19-1700

Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **221-2019** adopting, effective the pay period containing January 1, 2020, new salaries for the classifications affected by El Dorado County Charter, Section 504; the Memorandum of Understanding between the County of El Dorado and the Deputy Sheriffs' Association, Article 5, Section 2; and the Memorandum of Understanding between the County of El Dorado and the El Dorado County Law Enforcement Management Association, Article 4, Section 1B for an estimated total annual cost of approximately \$426,605 (approximately \$213,303 for the remainder of FY 19-20).

FUNDING: General Fund.

Resolution 221-2019 was Adopted upon Approval of the Consent Calendar.

15. 19-1184

Director of Human Resources and the Chief Administrative Officer recommending the Board:

- 1) Approve the establishment of a new unrepresented bargaining unit entitled BD;
- 2) Approve and authorize the Chair to sign Resolution **237-2019** to move the Supervisor-Board of Supervisors classification from the EL bargaining unit to the newly established, unrepresented Board of Supervisors bargaining unit of BD;
- 3) Approve and authorize the Chair to sign Resolution **238-2019** for:
 - a) The modification of established bargaining units to dissolve the Deputy County Counsel (CC) bargaining unit;
 - b) Reallocate the classifications currently represented by the CC unit into the Unrepresented Management (UM) unit; and
 - c) Increase the salaries for the classifications of Associate Deputy County Counsel, Deputy County Counsel, and Sr. Deputy County Counsel;
- 4) Approve and authorize the Chair to sign the revised Salary and Benefits Resolution for Unrepresented Employees - Resolution **235-2019**; and
- 5) Approve the updated 2020 Calendar Year Benefit Rate Cards to include the new unrepresented BD bargaining group and remove the CC bargaining unit, effective December 21, 2019.

FUNDING: General Fund.

This matter was Approved and Resolutions 237-2019, 238-2019 and 235-2019 were Adopted upon Approval of the Consent Calendar.

- 16. 19-1789** Human Resources Department, Risk Management Division, recommending the Board:
- 1) Make findings that it is more economical and feasible to contract out for insurance certificate collection and monitoring services in accordance with Ordinance 3.12.030;
 - 2) Approve and authorize the continuation of perpetual agreement 448 with CSAC Excess Insurance Authority, Inc. for the provision of CSAC-EIA's contract with Ebix for insurance certificate collection and monitoring services for the term January 1, 2020 - December 31, 2023;
 - 3) Approve the adjusted the fees to reflect the annual change in the Consumer Price Index as submitted by Ebix, Inc.; and
 - 4) Authorize the Purchasing Agent to sign the new agreement 4527 with Ebix, Inc. for the term of January 1, 2020 - December 31, 2023 for a not to exceed amount of \$36,400.

FUNDING: Risk Management - Risk Liability Fund.

This matter was Approved on the Consent Calendar.

- 17. 19-1848** Supervisor Novasel recommending the Board approve and authorize the Chair to sign a Proclamation recognizing December 15, 2019, as Bill of Rights Day in El Dorado County.

This matter was Approved on the Consent Calendar.

- 18. 19-1836** Supervisor Veerkamp recommending the Board authorize the signatures of all five Board Members on a Certificate of Recognition for Laurence Crabtree, USFS Forest Supervisor and to wish him well in his retirement.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS**19. 19-1397**

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Agreement for Services 4330 with Telecare Corporation, Inc., to operate the Psychiatric Health Facility (PHF) for the County, for the term of five years from January 1, 2020 through December 31, 2025, with a maximum obligation of \$30,149,966;
- 2) Approve and authorize the Chair to sign non-financial Facility Use Agreement 4332 with Telecare Corporation, Inc., to use the County PHF Facility during the term of the PHF operations agreement;
- 3) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to contract with Telecare Corporation, Inc. for services provided under this Agreement 4330 because the County does not have the staff to perform said services; and
- 4) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 4330, or Facility Use Agreement 4332, including amendments, which do not increase the maximum dollar amount or term of the Agreements, and contingent upon approval by County Counsel and Risk Management.

FUNDING: State, Federal, and Other Funding: 41% Federal; 2% State; 8% Other Government funding; and 49% Behavioral Health Realignment.

This matter was Approved on the Consent Calendar.

20. 19-1179

Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign Resolution **218-2019**, which delegates authority to the Director of the Health and Human Services Agency to apply jointly with the Development Sponsor, Mercy Housing, for funding from the California Department of Housing and Community Development via the No Place Like Home (Round 2) Notice of Funding Availability, for funding related to the development of supportive housing options.

FUNDING: 100% State; no match required.

Resolution 218-2019 was Adopted upon Approval of the Consent Calendar.

21. 19-1715

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment 2 to Agreement for Services 93 (045-S1810) with Susan Stoeffler, MFT, for the provision of therapeutic counseling and related services which extends the term by fourteen months for a new term of June 13, 2017 through February 28, 2021, effective upon execution, with no change to the maximum obligation of \$140,000;
- 2) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to contract for services provided under this Agreement because the County has neither the licensed staff nor facilities to perform said services; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 93 (045-S1810), including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: 37% Federal, 20% State, 38% Realignment, and 5% General Fund.

This matter was Approved on the Consent Calendar.

22. 19-1776

Library Department recommending the Board receive and file the following reports for special taxes for County Service Area 10, specific to County of El Dorado library services for Fiscal Year 2018-19:

- 1) Reports pursuant to Government Code § 50075.1 that:
 - a) Specify the authority under which the County may levy a special tax for library services, § 50075.1;
 - b) Define the purposes for which this tax may be used § 50075.1; and
 - c) Identify the special tax revenue fund in the County of El Dorado; and
- 2) Attachments to those reports demonstrating the amount of funds collected and expended pursuant to Government Code § 50075.3.

FUNDING: County Service Area 10 Special Taxes.

This matter was Approved on the Consent Calendar.

23. 19-1779

Library Department recommending the Board adopt and authorize the Chair to sign Resolution **223-2019** establishing parking regulations for the Cameron Park Library.

FUNDING: N/A

Resolution 223-2019 was Adopted upon Approval of the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

24. 19-1557 Agricultural Department recommending the Board receive and file the El Dorado-Alpine Counties 2018 Agricultural Crop and Livestock Report.

This matter was Approved on the Consent Calendar.

25. 19-1688 El Dorado County Air Quality Management District (District) recommending the Board, acting as the Air Quality Management Board of Directors, adopt and authorize the Chair to sign Resolution **220-2019** authorizing the Air Pollution Control Officer to:

- 1) Execute grant agreement with the California Air Resources Board (CARB) accepting initial funding in the amount of \$363,109.24 for the implementation of the 2018-19 appropriation of the Woodsmoke Reduction Program (Program), pending approval from County Counsel and Risk Management;
- 2) Execute Memorandum of Understanding (MOU) and/or MOU amendments with Placer County Air Pollution Control District to administer the Program in Placer County, pending approval from County Counsel and Risk Management;
- 3) Execute Memorandum of Understanding and/or MOU amendments with Amador County Air Pollution Control District to administer to Program in Amador County, pending approval from County Counsel and Risk Management;
- 4) Execute agreements and/or amendments to existing agreements with participating contractors to install woodstoves to ensure old woodstoves are rendered inoperable and to instruct residents on proper operation of new woodstove, pending approval from County Counsel and Risk Management;
- 5) Implement and expend the funds in accordance with the grant agreement with CARB; and
- 6) Execute any future grant or funding agreements with CARB and other necessary actions to receive additional funding to support the implementation of the Woodsmoke Reduction Program through the statutory term of the Program.

FUNDING: AQMD - State Grant Funding.

This matter was Approved and Resolution 220-2019 was Adopted upon Approval of the Consent Calendar.

- 26. 19-1655** Department of Transportation and Environmental Management
Department recommending the Board approve and authorize the Chair to sign a Budget Transfer adjusting the budget for FY 2019-20 for previously Board approved items, Legistar 19-0992, 19-1058, and 19-1045. (4/5 vote required)

FUNDING: Fleet Internal Service Fund and Accident Fund, CSA No. 10 Solid Waste Funds, and CSA No. 10 Liquid Waste Funds.

This matter was Approved on the Consent Calendar.

- 27. 19-1678** Department of Transportation - Fleet Services Unit, recommending the Board approve the following:
- 1) Dispense with the formal bidding process in accordance with Purchasing Ordinance 3.12.16, Section D;
 - 2) Authorize the Purchasing Agent to utilize the State of California competitively bid Contracts 1-18-23-10, 1-18-23-20, and 1-18-23-23 for the acquisition of twenty-one (21) vehicles of various brands, models and options for the Department of Transportation - Fleet Services Unit; and
 - 3) Authorize the Purchasing Agent to sign purchase orders to the awarded State vendors, Downtown Ford Sales of Sacramento, CA. in the amount of \$65,797 plus applicable delivery, fees and taxes (estimated at \$5,170); Elk Grove Auto Sales of Elk Grove, CA. in the amount of \$47,611 plus applicable delivery, fees and taxes (estimated at \$3,951) and Winner Chevrolet of Elk Grove, CA. in the amount of \$528,876 plus applicable delivery, fees and taxes (estimated at \$42,592) for a one time purchase following Board approval.

FUNDING: Fleet Internal Service Fund.

This matter was Approved on the Consent Calendar.

- 28. 19-1720** Department of Transportation recommending the Board take the following actions pertaining to the South Tahoe Greenway Shared Use Trail Phase 1B and 2 Project (CIP 95200/36107022, Contract 3785):
- 1) Award the Construction Contract to Herback General Engineering, Inc., who was the lowest responsive, responsible bidder;
 - 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval by County Counsel and Risk Management; and
 - 3) Authorize the Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

FUNDING: Active Transportation Program (33% - Federal), Congestion Mitigation and Air Quality Program (13% - Federal), California Tahoe Conservancy (54% - State).

This matter was Approved on the Consent Calendar.

- 29. 19-1704** Department of Transportation recommending the Board approve and authorize the Chair to sign a budget transfer request for six County Service Area 9 Zones of Benefit to reallocate funds from contingency to road maintenance projects completed or contemplated during Fiscal Year 2019/2020, as well as correct two budgeted fund balance designations. (4/5 vote required)

FUNDING: County Service Area 9 Zone of Benefit Special Taxes and Assessments.

This matter was Approved on the Consent Calendar.

- 30. 19-1721** Department of Transportation recommending the Board:
- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of County Ordinance Code that it is more economical and feasible to engage an independent contractor for on-call environmental review services; and
 - 2) Approve and authorize the Chair to sign Agreement for Services 4402 with Nichols Consulting Engineers, CTHD. in the not-to-exceed amount of \$300,000, for a term to become effective upon execution by both parties and expiring three years thereafter, to provide as-needed environmental review services for the Tahoe Basin.

FUNDING: Various Capital Improvement Program and other funding sources that fund Department of Transportation projects. (Local, State, and Federal Funds)

This matter was Approved on the Consent Calendar.

- 31. 19-1738** Department of Transportation recommending the Board consider the following pertaining to the Headington Wash Rack Facility Project, CIP 81134/36005001, Contract 4299:
- 1) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans; and
 - 2) Authorize readvertisement for construction bids.
- FUNDING:** Road Fund/Discretionary (100%). (Local Funds)
- This matter was Approved on the Consent Calendar.**
- 32. 19-1552** Department of Transportation recommending the Board receive and file the Traffic Impact Mitigation Fee Program Annual Report for Fiscal Year 2018/19.
- FUNDING:** N/A
- This matter was Approved on the Consent Calendar.**
- 33. 19-1748** Department of Transportation recommending the Board approve and authorize the Chair to sign First Amendment to Funding Agreement 2914 with the El Dorado County Air Quality Management District, extending the term to September 1, 2020 with no change to the amount of the agreement, to provide funding for the construction phase of the El Dorado Trail - Missouri Flat Road to El Dorado Project, CIP 97014.
- FUNDING:** California Department of Motor Vehicles Assembly Bill 2766 Subvention Funds as issued by the Air Quality Management District Grant Program.
- This matter was Approved on the Consent Calendar.**
- 34. 19-1675** Department of Transportation recommending the Board approve and authorize the Chair to sign the Third Amendment to Agreement for Services 157-S1411 with Mark Thomas & Company, Inc. extending the term to December 31, 2020, with no change in compensation, to finalize the Record of Survey for the U. S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP 71328.
- FUNDING:** Silva Valley Interchange Set-Aside (44%), 2004 General Plan Silva Valley Interchange Set-Aside (42%), Developer-Advanced Funds (10%), State and Local Partnership Program Grant (2%), Utility Agency - El Dorado Irrigation District (1%), and Road Fund (1%). (No Federal Funds)
- This matter was Approved on the Consent Calendar.**

35. 19-1513 Environmental Management Department recommending the Board ~~adopt and authorize the Chair to sign~~ approve the Final Passage (Second Reading) of Ordinance 5115 amending in its entirety Chapter 8.39, Well Standards, Ordinance No. 4110, of the El Dorado County Ordinance Code pertaining to Well Construction and Water Supply Standards. (Cont. 12/10/19, Item 42)

FUNDING: General Fund / Environmental Health Permit fees (no change to current cost or revenue).

Ordinance 5115 was Adopted upon Approval of the Consent Calendar.

36. 19-1514 Environmental Management Department recommending the Board ~~adopt and authorize the Chair to sign~~ approve the Final Passage (Second Reading) of Ordinance 5114 amending in its entirety Chapter 8.38 - Hazardous Materials, Ordinance No. 4101 of the El Dorado County Ordinance Code pertaining to Hazardous Materials, thereby repealing in their entirety both Chapter 8.40 - Underground Storage Tanks, and Chapter 8.41 - Fuel Containing MTBE, and consolidating Chapter 8.40 into the revised Chapter 8.38.

FUNDING: General Fund / Hazardous Materials Permit fees (no change to current cost or revenue).

Ordinance 5114 was Adopted upon Approval of the Consent Calendar.

37. 19-1536 Environmental Management Department recommending the Board approve and authorize the Chair to sign Resolution **230-2019** establishing protocol for partial cost recovery during the performance of investigations of real property subject to contamination resulting from the manufacturing and processing of illegal hazardous substances, including methamphetamine and opioids, in accordance with the requirements set forth in California Health and Safety Code section 25400.22.

FUNDING: Non-General Fund / Potential partial cost recovery revenue for County Service Area No. 10 - Hazardous Materials Incident Response funds.

Resolution 230-2019 was Adopted upon Approval of the Consent Calendar.

38. 19-1752 Environmental Management Department recommending the Board adopt and authorize the Chair to sign Resolution **222-2019** to amend the Authorized Personnel Allocation, deleting one (1) vacant Limited Term Vector Control Technician I/II position in the Environmental Management Department.

FUNDING: Non-General Fund, County Service Area No. 3 - Vector Control funds.

Resolution 222-2019 was Adopted upon Approval of the Consent Calendar.

39. 19-1553 Planning and Building Department recommending the Board:
1) Receive and file the Annual Reports for Fiscal Year 17/18 and Fiscal Year 18/19 for the Ecological Preserve Fee and Oak Woodland Conservation Fee Programs per California Government Code Section 66006;
2) Receive and file the Fiscal Year 17/18 and Fiscal Year 18/19 for the Community Benefit Fee associated with the Alto, LLC Development Agreement per California Government Code Sections 65865(e) and 66006; and
3) Receive and file the Annual Reports for Fiscal Year 17/18 and Fiscal Year 18/19 for the Bass Lake Hill Specific Plan Public Facilities Plan Fee Program per California Government Code Section 66006.

FUNDING: Ecological Preserve Fees, Oak Woodland Conservation Fees, and developer agreement fees.

This matter was Approved on the Consent Calendar.

40. 19-1719 Planning and Building Department recommending the Board adopt and authorize the Chair to sign Resolution **226-2019**, rescinding a portion of prior Resolution 075-2016 and increasing the imprest cash funds for the Department by \$300, for a total amount of \$500.

FUNDING: General Fund.

Resolution 226-2019 was Adopted upon Approval of the Consent Calendar.

- 41. 19-1758** Planning and Building Department, Planning Division-Current Planning, submitting for approval of Final Map (TM-F19-0003) for Bell Ranch Unit 1 (TM96-1321-R-4), creating 63 residential lots ranging in size from 13,500 to 91,649 square feet, 12 lettered open space/landscaping lots, one large lot and one park site (Lot J) on property identified by Assessor's Parcel Number 119-020-052, located on the north side of the intersection of Terra De Dios Drive and Morrison Road, in the El Dorado Hills area and recommending the Board consider the following:
- 1) Approve Final Map (TM-F19-0003) for Bell Ranch Unit 1; and
 - 2) Approve and authorize the Chair to sign the Agreement to Make Subdivision Improvements (Attachment B). (Supervisory District 1)

FUNDING: Developer-Funded.

This matter was Approved on the Consent Calendar.

- 42. 19-1680** Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board adopt and authorize the Chair to sign Resolution **219-2019** to:
- 1) Authorize the submittal of a 2019 HOME Investment Partnerships Program Grant Program Activities allocation application to the California Department of Community Development to provide additional resources up to \$1,000,000 for the County's ongoing First-Time Homebuyer Loan Program; and
 - 2) If awarded, authorize the Director of the Planning and Building Department, or designee, contingent upon approval by County Counsel and Risk Management, to execute the grant agreement and subsequent amendments thereto that do not affect the dollar amount or the term and to sign other grant-related documents.

FUNDING: Federal HOME Investment Partnership Program Grant Funds.

This matter was Approved and Resolution 219-2019 was Adopted upon Approval of the Consent Calendar.

- 43. 19-1784** Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution **224-2019** for Abandonment of Easement 19-0005, to abandon a portion of a public utility easement on Lot 35 of Village I, Lots F, G, and H, Serrano, recorded in Book I of Subdivisions at Page 104, identified as Assessor's Parcel Number 123-230-035, within the community of El Dorado Hills. (Supervisory District 1)

FUNDING: Application Fees. (General Fund)

Resolution 224-2019 was Adopted upon Approval of the Consent Calendar.

44. 19-1788

Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution **225-2019** for Abandonment of Easement 19-0006, to abandon a portion of a public utility easement on Lot 27 of Village I, Lots F, G, and H, Serrano, recorded in Book I of Subdivisions at Page 104, identified as Assessor's Parcel Number 123-230-027. Said property is within the community of El Dorado Hills. (Supervisorial District 1)

FUNDING: Application Fees. (General Fund)

Resolution 225-2019 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

45. 19-1377

Probation Department recommending the Board:

- 1) Make findings in accordance with County ordinance 3.13.030 that it is more economical and feasible to continue to contract out for transdermal electronic alcohol monitoring equipment and services than to obtain the facilities, personnel, and equipment necessary to provide such services; and continue to utilize SCRAM of California for these services as previously contracted through Agreement 3073;
- 2) Approve and authorize the Chair to sign Agreement for Services 4371 effective January 1, 2020, through December 31, 2022, for a Not to Exceed Amount of \$500,000.00; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement 4371, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Public Safety Realignment (AB 109).

This matter was Approved on the Consent Calendar.

46. 19-1571

Sheriff's Office recommending the Board:

- 1) Approve the use of Special Revenue Funds in the amount of \$324,000 for law enforcement equipment; \$12,000 for minor equipment; \$91,500 for fixed asset equipment; \$289,300 for vehicles; \$30,000 as a contribution to a Mental Health Facility Feasibility Study; \$122,300 for California Identification Remote Access Network (Cal-ID RAN) services and supplies;
- 2) Approve an updated Fixed Asset List for the Sheriff's Office, increasing the total fixed assets budget from \$3,121,900 to \$3,212,800, with no increase to net county cost;
- 3) Approve an updated Fixed Asset List for County Fleet Services, adding ten (10) Patrol Vehicles, increasing the total fixed assets budget by \$275,400 with no increase to net county cost; and
- 4) Approve budget transfer increasing revenues and appropriations in the Sheriff's Office Fiscal Year 2019-2020 Budget by \$849,600, transferring funds to Fleet, transferring funds from the Parks Division and drawing down funds from the Federal Equitable Justice, Custody Services, Rural Counties, State Asset Seizure, Supplemental Law Enforcement Services Account (SLESA - Front Line Law Enforcement), California Identification Remote Access Network (Cal-ID RAN), and California Multi-Jurisdictional Methamphetamine Enforcement (Cal-MMET) Special Revenue Funds to cover the costs of various services, supplies, and fixed assets. (4/5 vote required).

FUNDING: Special Revenue Funds.

This matter was Approved on the Consent Calendar.

47. 19-1767

Sheriff's Office recommending the Board approve and authorize the Chair to:

- 1) Accept an award in the amount of \$18,000 from the State Department of Alcoholic Beverage Control (ABC) for the Grant Assistance Program (GAP);
- 2) Ratify the Sheriff's Chief Fiscal Officer's signature on the ABC GAP Contract with the retroactive effective date of October 1, 2019, for a term of one year, through August 31, 2020; and
- 3) Authorize the Sheriff and the Undersheriff to execute, on behalf of El Dorado County, extensions, amendments and subsequent contracts with the ABC for the GAP, subject to approval by County Counsel.

FUNDING: State of California ABC GAP.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS (Items in this category may be called at any time)

- 48. 19-1646** Department of Transportation recommending the Board recognize Elizabeth Zangari upon her retirement from the El Dorado County Department of Transportation and authorize the Chair to sign a Proclamation recognizing Elizabeth's 23 years of service and dedication to the community. (Est. Time: 5 Min.)

Public Comment: K. Payne, T. Kayes, K. Taylor

**Rafael Martinez, Director of Transportation, read the Proclamation.
A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter.**

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

- 49. 19-1831** Supervisor Novasel recommending the Board:
1) Recognize and acknowledge Jeanne Amos, Director of Library Services, on her many years of dedicated service with the County of El Dorado; and
2) Approve and authorize the Board to sign a Proclamation recognizing Jeanne Amos' dedication to El Dorado County. (Est. Time: 5 Min.)

Public Comment: B. Reyes, K. Payne, F. DuChamp, K. Guerrero

**Supervisor Novasel read the Proclamation.
A motion was made by Supervisor Frentzen, seconded by Supervisor Novasel to Approve this matter.**

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

- 50. 19-1656** Library Department recommending the Board:
1) Approve and adopt Board Policy A-10, the Meeting Room Policy; and
2) Rescind County Resolution 83-95, which was approved in 1995, thereby replacing it with this policy. (Est. Time: 30 Min.)

FUNDING: N/A

Public Comment: T. Cielo, A. Cantelope

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

- 51. 19-1851 Director of Human Resources recommending the Board appoint Carolyn Brooks to the position of Director of Library Services, effective January 18, 2020, at step 3 of the salary range (approximate annual salary of \$120,473). (Est. Time: 5 Min.)

FUNDING: General Fund.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Parlin to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

- 52. 19-1790 Clerk of the Board recommending the Board approve the revised 2020 Board of Supervisors Meeting Calendar, cancelling the regular meeting of Tuesday, November 3, 2020 and scheduling a regular meeting for Tuesday, November 24, 2020. (Est. Time: 5 Min.)

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to cancel the November 3, 2020 Board meeting and not schedule a November 24, 2020 Board meeting.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

10:00 A.M. TIME ALLOCATION

- 53. 19-1825 Department of Transportation recommending the Board:
 - 1) Discuss the Traffic Impact Mitigation Fee zones, provide staff and their consultants with input and direction; and
 - 2) Receive information on the existing Community Regions job data from the County’s consultant, BAE Urban Economics, Inc. (Est. Time: 1 Hr.)

FUNDING: Traffic Impact Mitigation Fee Program.

Public Comment: T. Kayes, F. DuChamp, A. Cantelope, K. Veerkamp, G. Carpenter

A motion was made by Supervisor Veerkamp, seconded by Supervisor Hidahl to give direction to staff to:

- 1) Continue to pursue eight (8) TIM Fee zones; and
- 2) Explore a 20 year Benefit Cost Analysis.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

54. 19-1750

Department of Transportation recommending the Board:

- 1) Adopt the 2019 Capital Improvement Program Book as presented in Attachment B.
- 2) Authorize the addition of two new projects to the 2019 CIP Book:
 - a) Cameron Park Drive Widening - Toronto Road to Sudbury Road (CIP 72144 / 36105065);
 - b) Camino Frontage Road - Pondorado Extension (CIP 72383 / 36105064); and
- 3) Approve and authorize the Chair to sign a budget transfer request to accommodate the proposed changes to the Capital Improvements Program budget for Fiscal Year 2019/2020. (4/5 vote required) (Est. Time: 10 Min.)

FUNDING: Various Federal, State, and Local funding sources.

Public Comment: K. Payne, T. Kayes

A motion was made by Supervisor Veerkamp, seconded by Supervisor Novasel to Approve this matter and direct staff to return to the Board in March 2020 with a workshop to discuss the projects which were removed from the 2015 Capital Improvement Program.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

1:00 P.M. - TIME ALLOCATION

55. 19-1821

Broadband Ad Hoc Committee, in coordination with the Chief Administrative Office, recommending the Board:

- 1) Receive and file a presentation and report from NEO Connect regarding updated capital costs and funding alternatives of implementing county-wide broadband, as a result of further research, financial modeling and the physical ride-out of the County terrain;
- 2) Provide direction to staff regarding options and strategies to pursue Broadband development in El Dorado County, including any next steps in the planning process, including but not limited to:
 - a) Countywide broadband implementation via a 40-year bond, resulting in a countywide property assessment;
 - b) Countywide broadband implementation via a 30- or 40-year bond after seeking and negotiating a partnership with a co-investor and securing grants, in combination with a countywide property assessment;
 - c) Broadband implementation planning by identification of smaller priority areas/projects, with a localized property/benefit assessment; and
 - d) Broadband implementation planning by seeking a partnership with an investor and/or grant opportunities to fund smaller priority areas/projects; and
- 3) Authorize the Purchasing Agent to negotiate and execute a new agreement with Neo Connect with a not-to-exceed amount of \$15,000, for as-needed, on-going staffing support and consulting services related to Broadband efforts and the County's "Dig Once" policy for parallel conduit in County projects, and coordination with other agencies and developers on future projects. (Est. Time: 1 Hr.)

FUNDING: Funding for Broadband efforts has been funded through Economic Development using Transient Occupancy Tax revenue.

Public Comment: K. Payne

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to:

- 1) Receive and file a presentation and report from NEO Connect regarding updated capital costs and funding alternatives of implementing county-wide broadband, as a result of further research, financial modeling and the physical ride-out of the County terrain;
- 2) Direct staff regarding options and strategies to pursue Broadband development in El Dorado County, including any next steps in the planning process, including but not limited to:
 - a) Broadband implementation planning by identification of smaller priority areas/projects, with a localized property/benefit assessment; and
 - b) Broadband implementation planning by seeking a partnership with an investor and/or grant opportunities to fund smaller priority areas/projects; and
- 3) Authorize the Purchasing Agent to negotiate and execute a new agreement with Neo Connect with a not-to-exceed amount of \$15,000, for as-needed, on-going staffing support and consulting services related to Broadband efforts and the County's "Dig Once" policy for parallel conduit in County projects, and coordination with other agencies and developers on future projects.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

2:00 P.M. - TIME ALLOCATION

56. 19-1749

HEARING - Environmental Management Department recommending the Board consider the following regarding the solid waste collection rates for South Tahoe Refuse Co., Inc., Areas A and B:

- 1) Based on the analysis completed by Crowe LLP, find that a 2.93% increase to the existing rates be in accordance with the interim year rate setting process as outlined in the Solid Waste Rate Setting Policies and Procedures Manual; and
- 2) Adopt and authorize the Chair to sign Resolution **228-2019** authorizing an increase to the solid waste collection rates for South Tahoe Refuse Co., Inc., Areas A and B, by 2.93% for the 2020 interim year to be effective January 1, 2020 (Est. Time: 15 Min.)

FUNDING: User Fees / Franchise Fees. (No Federal Funding)

Supervisor Novasel opened the public hearing and upon conclusion of public comment and staff input, closed the hearing.

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Approve this matter and Aodpt Resolution 228-2019.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

57. 19-1768

HEARING - To consider the recommendation of the Planning Commission on the Vineyards at El Dorado Hills project to request a Rezone (Z16-0002), a Planned Development (PD16-0001), a Phased Tentative Subdivision Map (TM16-1528), and a Design Waiver on property identified by Assessor's Parcel Number 126-100-024, consisting of 114.03 acres, in the Rural Region in the El Dorado Hills area, submitted by Omni Financial, LLC; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt Resolution **229-2019** certifying the Environmental Impact Report (Attachment C), subject to California Environmental Quality Act Findings and Statement of Overriding Considerations (Attachment D);
- 2) Adopt the Mitigation Monitoring Reporting Program (Attachment E) detailing the recommended Mitigation Measures in the Environmental Impact Report, in compliance with California Environmental Quality Act Guidelines Section 15097(a);
- 3) Approve Z16-0002 rezoning Assessor's Parcel Number 126-100-024 applying the Planned Development Combining Zone to the existing underlying zoning of Estate Residential, Five-acre resulting in the new zoning of Estate Residential, Five-acre-Planned Development based on the Findings (Attachment G) presented;
- 4) Approve Planned Development PD16-0001 establishing a Development Plan allowing the project to utilize density bonuses by clustering residential parcels and dedicating open space and allowing reduced setbacks of 20 foot front setbacks, 15 foot side setbacks and 30 foot rear setbacks for the project, based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented;
- 5) Approve the Phased Tentative Subdivision Map TM16-1528 consisting of 42 residential lots ranging in size from 43,560 to 46,562 square feet, five open space lots, and one road lot, based on the Findings (Attachment G) and subject to the Mitigation Monitoring Reporting Program (Attachment E) and Conditions of Approval (Attachment H) as presented;
- 6) Approve the Design Waiver to reduce the standard 101C road width easement from 50 feet to 30 feet as the Findings (Attachment G) could be made; and
- 7) Adopt Ordinance **5117** for said Rezone. (Supervisory District 4) (Est. Time: 45 Min.)

FUNDING: N/A

Public Comment: M. Seya, K. Payne, S. Jurgens, V. Miller

Supervisor Novasel opened the public hearing and upon conclusion of public comment and staff input, closed the hearing.

A motion was made by Supervisor Parlin to deny the project.

Failed for lack of a second.

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to Continue this matter to January 14, 2020 to allow staff time to obtain the settlement agreement and review.

Yes: 4 - Veerkamp, Frentzen, Novasel and Hidahl

Noes: 1 - Parlin

58. 19-1783

HEARING - To consider the recommendation of the Planning Commission on the Creekside Plaza project to request a Rezone (Z10-0009), a Tentative Parcel Map (P10-0012), and a Planned Development (PD10-0005) on property identified by Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025, consisting of 4.39 acres, in the Community Region of Diamond Springs, submitted by Grado Equities VI, LLC; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt Resolution **233-2019** certifying the Environmental Impact Report (Attachment C), subject to California Environmental Quality Act Findings (Attachment D);
- 2) Adopt the Mitigation Monitoring Reporting Program (Attachment E) detailing the recommended Mitigation Measures in the Environmental Impact Report, in compliance with California Environmental Quality Act Guidelines Section 15097(a);
- 3) Approve Z10-0009 rezoning Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025 from Community Commercial-Design Control to Community Commercial-Planned Development and Open Space-Planned Development based on the Findings (Attachment G) presented;
- 4) Approve Tentative Parcel Map P10-0012 subdividing the project site into four parcels including a 0.22-acre portion of Forni Road Right of Way subject to a General Vacation based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented;
- 5) Approve Planned Development PD10-0005 as the official Development Plan for the proposed Creekside Plaza commercial center containing three buildings totaling 30,560 square feet with on-site parking, lighting, signage, and landscaping based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented; and
- 7) Adopt Ordinance **5118** for said Rezone. (Supervisory District 3) (Est. Time: 30 Min.)

FUNDING: N/A

Public Comment: A. Guda, L. Brent-Bumb, K. Payne, S. Taylor

Supervisor Novasel opened the public hearing and upon conclusion of public comment and staff input, closed the hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter to include in the conditions of approval fire mitigation consistent with the fire management plan and direct staff to return to the Board in February 2020 to review entitlements approved by MC&FP Phase 1.

Yes: 4 - Veerkamp, Frentzen, Novasel and Hidahl

Noes: 1 - Parlin

ITEMS TO/FROM SUPERVISORS

Supervisor Hidahl reported on the following:
Community Action Council.
El Dorado Hills Two by Two.
El Dorado Hills Area Planning Advisory Committee.
Greater Sacramento Economic Council dinner.
Capital Southeast Connector meeting.

Supervisor Frentzen reported on the following:
Local Agency Formation Commission Board meeting.
Fernwood/Cotton Ranch Zone of Benefit meeting.

Supervisor Veerkamp reported on the following:
SOFAR meeting.
Greater Sacramento Economic Council dinner.
Fire/EMS meeting.
El Dorado County Water Agency meeting.
Merry Christmas and Happy New Year.

Supervisor Parlin reported on the following:
Rural County Representative of California meeting.
Mountain County Air Basin Control Council.
Environmental Services Joint Powers Authority meeting.
American River Conservancy volunteer dinner.
Human Right Commissioner meeting.
All About Equine meeting.
Department of Transportation meetings.
Thanked everyone for support for first year as a Supervisor.

Supervisor Novasel reported on the following:
California Tahoe Conservancy open house.
California Tahoe Conservancy board meeting.
Transportation workshop.
Tahoe Regional Planning Agency board meeting.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Wished everyone a Happy Holiday and New Year.

ADJOURNED AT 5:19 P.M. in honor of Lanny Langston.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience.