



County of El Dorado

Board of Supervisors
Department
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Minutes - Final Board of Supervisors

Ron Mikulaco, Chair, District I
Shiva Frentzen, First Vice-Chair, District II
Michael Ranalli, Second Vice-Chair, District IV
Brian K. Veerkamp, District III
Sue Novasel, District V

James S. Mitrisin, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
Michael J. Ciccozzi, County Counsel

Tuesday, August 2, 2016

8:00 AM

Board of Supervisors Meeting Room
330 Fair Lane, Placerville, CA

ADDENDUM

Item 32 Staff recommending First Reading of Ordinance 5040 be Continued to August 16, 2016.

Items 43-51 are hereby added to the Consent Calendar.

Item 52 is hereby added to Closed Session.

Vision Statement

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

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

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Public comment will be received on each agenda item listed under Department Matters or Time Allocation as called by the Chair. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. The Board reserves the right to waive said rules by a majority vote.

Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person and the total amount of time reserved for Open Forum may be limited. Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

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 the foyer of 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.

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.

8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

Present: 5 - Supervisor Mikulaco, Supervisor Veerkamp, Supervisor Frentzen, Supervisor Ranalli and Supervisor Novasel

9:03 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

Invocation was given by Pastor Craig Klatt of the Camino Adventist Church.
Supervisor Frentzen led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF THE CONSENT CALENDAR

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Adopt the agenda and Approve the Consent Calendar with the following changes:

Pull Items 3 and 47 for discussion.
Supervisor Veerkamp recused himself from Item 18.
Continue Item 32 to August 16, 2016.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

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.

16-0835 OPEN FORUM (See Attachment by following the numbered link to the left)

B. Dennis, M. Lane

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. The Board reserves the right to impose a reasonable limit of time afforded to any topic, individual speaker or the total amount of time reserved for Open Forum.

DEPARTMENT/SUPERVISOR REPORTS

Supervisor Veerkamp reported on the following:

Attended a tour in the community of El Dorado, working on multiple issues including fire safety
USDA Field Day - In attendance was Honorable Mayor Hideo Yoritaka of Warabi City, Japan, El Dorado County's Sister City.
High Hill Ranch traffic circulation meeting
Sacramento Area Council of Governments (SACOG) Executive search committee to replace their CEO
Gold Panning Championships meeting
Iowa Hill Joint Advisory Committee wrap up meeting (project closed out)
Upcoming SACOG, Transit Authority and Transportation Commission meetings

Supervisor Frentzen reported on the following:

Cal-LAFCO Board of Directors meeting
Farm Bureau fundraising event
Also met the Mayor of Warabi City, Japan

Supervisor Novasel reported on the following:

Tahoe Regional Planning Agency Governing Board
Tahoe Prosperity Center
Celebrity Golf Tournament
Tahoe Summit is August 31st

Supervisor Ranalli reported on the following:

Met with Janice Wadell, State Director of the USDA
Recognized county fire service providers and the Sheriff's office personnel who responded to a recent fire. Recognized the approaching one (1) year anniversary of the passing of firefighter Mikey Hallenbeck.
Also attended the Iowa Hill Joint Advisory Committee

Supervisor Mikulaco reported on the following:

Attended the annual National Association of Counties (NACO) conference in Long Beach. Greg Cox from San Diego County was voted as 2nd Vice-President of NACO. Provided information to the CAO and Probation Chief regarding potential grant funding.
Thanked the volunteers who contributed to the various activities for the visiting Mayor of Warabi City, Japan

CAO UPDATE

Don Ashton reminded the Board of the Special Meeting scheduled for Tuesday, August 9th to discuss the impacts of voter approved Measure E. The meeting will be held in the normal Board of Supervisors meeting room.

Beginning with the regular meeting of the Board on August 16th, Board meetings will be held in the Planning Commission hearing room (2850 Fairlane Court, Placerville "Building C") until Building A renovations are completed in early 2017.

CONSENT CALENDAR

1. **16-0796** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board on July 19, 2016.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. **16-0767** Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to sign Amendment I to Agreement 323-S1410 with G & O Towing for the provision of on-call towing and emergency roadside assistance services for County-owned vehicles and other vehicles as requested by the Sheriff's Department and District Attorney's Office, increasing the total not to exceed amount by \$15,000 for a new total not to exceed amount of \$40,000 based on the estimated cost of services for the contract period. There is no change to the original term of the Agreement.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

3. **16-0769** Chief Administrative Office recommending the Board consider the following:
- 1) Rescind Resolution 049-2007 and Resolution 113-2007, which established the Public Safety Impact Fee;
 - 2) Order the Auditor-Controller to refund the entire balance, approximately \$445,000, of the account (20-502-315; 7702315), including all unexpended fee revenue and all interest accrued thereon, in accordance with the provisions of the Mitigation Fee Act, as soon as is practical;
 - 3) Direct the CAO to work with the Auditor-Controller and the Community Development Agency to administer the refund; and
 - 4) Direct the CAO and Auditor-Controller to report to the Board within 30 days on the methodology and status of the refund, and again every 30 days thereafter, until the refund has been completed.

FUNDING: Public Safety Development Impact Mitigation Fee Revenue.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp to Approve this matter and direct staff to include the interest element in their report.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

4. **16-0619** Clerk of the Board and Supervisor Novasel recommending the Board approve and authorize the Chair to sign Lease Agreement 073-L1711 for office space located at 924 Emerald Bay Road in South Lake Tahoe for a term effective September 1, 2016 to December 31, 2018 for an estimated monthly charge in the amount of \$527 for the purposes of providing local office space for Supervisor Novasel and her Assistant. The agreement may be renewed annually for two (2), one (1) year terms each to include an annual review of charges for rent and utilities.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

5. **16-0716** Clerk of the Board recommending the Board adopt and authorize the Chair to sign Resolution **124-2016** to:
- 1) Cancel the regular meetings of the Board of Supervisors for November 8, 2016 and November 29, 2016; and
 - 2) Schedule regular meetings for November 1, 2016 and November 15, 2016 to minimize the impact to public accessibility of the Elections Department in Building C of the Government Center on November 8, 2016 for the Presidential Election and providing an opportunity for Board members to attend the California State Association of Counties Annual Conference beginning November 29 through December 1, 2016.

FUNDING: N/A

This matter was Approved and Resolution 124-2016 Adopted upon approval of the Consent Calendar.

6. **14-1234** Elections Department recommending the Board approve Agreement 041-S1410 under the original terms as a perpetual agreement with Data Information Management Systems, LLC, for a term of one year beginning August 1, 2016 through July 31, 2017, for a total amount of \$62,280.36 for ongoing Software License and Maintenance Support fees.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

7. **16-0779** Recorder-Clerk-Registrar of Voters recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Resolution **129-2016** for a grant funding agreement, of \$235,012.38 from July 1, 2016 to June 30, 2021, available under the Help America Vote Act Section 301 Voting Systems Program and Certification; and
 - 2) Authorize the Recorder-Clerk-Registrar of Voters to execute Grant Funding Agreement 16G30104.

FUNDING: Federal Funds.

This matter was Approved and Resolution 129-2016 Adopted upon Approval of the Consent Calendar.

8. **16-0305** Supervisor Ranalli recommending the Board find that a state of emergency continues to exist in El Dorado County as a result unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 7/19/16, Item 18)

This matter was Approved on the Consent Calendar.

9. **16-0802** Supervisor Ranalli recommending the Board provide direction to the Chief Administrative Officer and Community Development Agency to:
- 1) Provide to the Board an update on the Traffic Impact Mitigation (TIM) Fee Program that includes information on the annual revenues and expenditures of the TIM Fee Program; the Capital Improvement Programs funded with TIM Fees; and the costs associated with the administration of the TIM Fee Program; and
 - 2) Provide this information to the Board at the August 16, 2016, Board meeting as either a scheduled "Time Certain" presentation or as a "Department Matters" agenda item.

This matter was Approved on the Consent Calendar.

10. **16-0801** Supervisor Veerkamp recommending the Board consider the following related to a fire works display to celebrate the end of Gold Week during the closing ceremonies of the World Gold Panning Championships to be held on Sunday September 18, 2016 at the El Dorado County Fairgrounds:

- 1) Approve and authorize the Chair to sign Resolution **128-2016** permitting J&M Displays to conduct a pyrotechnic display for the event, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by the control authorities; and
- 2) Authorize Chair to sign a letter to the Fire Marshal approving same.

This matter was Approved and Resolution 128-2016 Adopted upon approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS**11. 16-0744**

Health and Human Services Agency, Community Services Division, recommending the Board:

- 1) Accept retroactive funding from the California Department of Community Services and Development in the amount of \$17,000 for the provision of training and technical assistance to Community Services Division staff;
- 2) Authorize and delegate authority to the Health and Human Services Agency Director to sign Standard Agreement 16F-5531 (County Agreement 497-F1611) for the term June 15, 2016 through December 31, 2016 and the Certification Regarding Lobbying in accordance with the terms and conditions of the funding agreement, as well as any amendments thereto, that do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management; and
- 3) Authorize the Health and Human Services Agency Director, or designee, to administer said Agreement and execute any subsequent administrative documents relating to said Agreement, including required fiscal and programmatic reports.

FUNDING: Federal Funding managed by the California Department of Community Services and Development.

This matter was Approved on the Consent Calendar.

12. 14-0138

Health and Human Services Agency, Mental Health Division, recommending the Board:

- 1) Approve and authorize the Chair to sign Standard Agreement 16-93110 (County Agreement 097-M1710) with the California Department of Health Care Services that establishes the conditions and requirements the County must meet in order to receive funding from the State for the Community Mental Health Services Block Grant, the Mental Health Plan Agreement, Mental Health Services, as well as Projects for Assistance in Transition from Homelessness for the term July 1, 2016 through June 30, 2017;
- 2) Authorize the Chief Administrative Officer, or designee, to execute further documents relating to Standard Agreement 16-93110, if any, provided that the amendments do not eliminate the funding streams, do not change the term, and contingent upon approval by County Counsel and Risk Management; and
- 3) Authorize the Health and Human Services Agency Director, or designee, to continue to administer Agreement 16-93110 and execute any subsequent documents relating to said Agreement, including programmatic reports.

FUNDING: There is no funding included in this Agreement; however, it establishes the requirements to receive funding from various mental health funding sources.

This matter was Approved on the Consent Calendar.

13. 16-0302

Health and Human Services Agency, Social Services Division, recommending the Board:

- 1) Approve the Foster Parent Recruitment, Retention, and Support Program boilerplate Agreement on an "as needed" basis in order to increase quality support and respite services for foster parents, and to further secure the permanency, well-being and safety of children who are dependents of the Court; and
- 2) Adopt and authorize the Chair to sign Resolution **127-2016**, which delegates authority to the Health and Human Services Agency Director, or designee, to execute Foster Parent Recruitment, Retention, and Support Program boilerplate agreements.

FUNDING: Federal and Realignment Funding.

This matter was Approved and Resolution 127-2016 Adopted upon approval of the Consent Calendar.

14. 16-0702

Library Department recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Lease Agreement 298-L1611 with the El Dorado Western Railway Foundation to lease the real property referred to as APN 090-040-31 for the period of January 1, 2016 through December 31, 2020;
- 2) Waive lease payments to El Dorado Western Railway Foundation as a a public benefit being provided to the residents of the County; and
- 3) Authorize El Dorado Western Railway Foundation to collect and retain rent received from sub-tenant to offset the costs associated with the El Dorado Western Railroad Program.

FUNDING: No change to Net County Cost.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 15. 07-192** Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:
- 1) Approve and authorize the Chair to sign Amendment 1 to Services Agreement Contract 14C00031 with the Tahoe Regional Planning Agency for the provision of incentivizing the replacement of wood burning stoves. The amendment increases the compensation to AQMD by \$35,000 and extends the termination date from March 1, 2017 to June 30, 2018; and
 - 2) Authorize the Air Pollution Control Officer to sign any subsequent minor amendments that do not increase the dollar value or extend the term of the agreement, pending approval by County Counsel and Risk Management.

FUNDING: AQMD Chimney Smoke Reduction Budget, State Subvention Funding and Tahoe Regional Planning Agency revenue.

This matter was Approved on the Consent Calendar.

- 16. 15-0010** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Community Development Agency Director, or designee, to approve and sign Reimbursable Agreement DTFH68-15-E-00034, Modification 001, with the Federal Highway Administration, Central Federal Lands Highway Division in the amount of \$9,597,500 for the Ice House Road - Pavement Rehabilitation, Phase 2 Project, CIP 72191. The Federal grant portion is 85.65 percent which is \$8,220,254 and the County's matching local portion is 14.35 percent which is \$1,377,246;
 - 2) Authorize the Community Development Agency Director, or designee, to amend Reimbursable Agreement DTFH68-15-E-00034, Modification 001, for all future minor modifications as necessary throughout the term of the Agreement; and
 - 3) Authorize the Chief Administrative Office to make budget adjustments during the Fiscal Year 2016/17 Budget Addenda process to designate \$1,377,246 of Sacramento Municipal Utility District funds that are currently undesignated/unprogrammed.

FUNDING: Sacramento Municipal Utility District funds (14.35%) and Federal Highway Administration Federal Lands Access Program (85.65%). (Federal Funds)

This matter was Approved on the Consent Calendar.

- 17. 15-0718** Community Development Agency, Transportation Division, recommending the Board retroactively approve and authorize the First Amendment to Perpetual Agreement for Services 821-S0710 with Squarerigger, Inc. to provide annual support and maintenance for the ShopWatch time management software module, MobileShop software, and Vehicle Tracker handheld equipment used by the Transportation Maintenance Unit.

FUNDING: Road Fund. (No Federal Funds)

This matter was Approved on the Consent Calendar.

- 18. 16-0454** Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Alder Drive at EID Canal - Bridge Replacement Project, Contract PW 15-31110, CIP 77123, P&C 146-C1699:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for July 7, 2016;
 - 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 Community Development Agency Director 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: Highway Bridge Program (100%). (Federal Funds)

This matter was Approved on the Consent Calendar.

Yes: 4 - Mikulaco, Frentzen, Ranalli and Novasel

Recused: 1 - Veerkamp

19. 16-0455

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1C Riparian Restoration Project, Contract 14-31079, CIP 71346, P&C 033-C1799:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for July 15, 2016;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management; and
- 3) Authorize the Community Development Agency Director 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: Project is funded by Missouri Flat Area Master Circulation and Financing Plan (100%). (No Federal Funds)

This matter was Approved on the Consent Calendar.

20. 16-0485

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the US 50/Missouri Flat Road Interchange Phase 1B.2 - Bike Path Project, Contract PW 15-31087, CIP 71359, P&C 034-C1799:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for July 14, 2016;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management; and
- 3) Authorize the Community Development Agency Director 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: Project is funded by Congestion Mitigation and Air Quality Grant (69%) and Master Circulation & Funding Plan Financing (31%). (Federal Funds)

This matter was Approved on the Consent Calendar. (see additional note and vote)

Upon notification by Community Development Agency staff, the Board took the following action at approximately 2:15 P.M., after adoption of the Consent Calendar.

A motion was made by Supervisor Ranalli, seconded by Supervisor Veerkamp to affirm staff's recommendation to reject all bids pursuant to information regarding the bid results contained in Attachment 2C.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

21. 16-0550

Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Agreement for Services 079-S1711 with Whitney Environmental Consulting, dba Foothill Associates, for a not-to-exceed amount of \$304,161.55, to provide environmental clearance and permitting services for the El Dorado Trail - Missouri Flat Road to El Dorado Road Project, CIP 97014, and El Dorado Trail - Missouri Flat Road Bike/Pedestrian Overcrossing Project, CIP 97015, for a term commencing upon execution by both parties and expiring three (3) years thereafter.

FUNDING: Congestion Mitigation and Air Quality Program (100%).
(Federal Funds)

This matter was Approved on the Consent Calendar.

22. 16-0633

Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Long Term License Agreement (California Tahoe Conservancy Resolution 16-06-02_ El Dorado County) between the California Tahoe Conservancy and El Dorado County for County use of land parcels owned by the California Tahoe Conservancy to construct and maintain drainage improvements under the County Service Area 5 Erosion Control Project, Contract PW 16-31118, CIP 95157.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 23. 14-1417** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of drought conditions. (Cont. 7/19/16, Item 36)

This matter was Approved on the Consent Calendar.

- 24. 08-1251** Sheriff's Office recommending the Board authorize the Chair to sign Lease Agreement 074-L1711 with Placerville Masonic Center Association Inc., for lease of 7,000 square feet of office space located at 471 Pierroz Road, Placerville, CA 95667 for the term September 1, 2016 through August 31, 2019 with the first year's monthly payment totaling \$9,471.28 and increasing 1% every year thereafter with two (2) one (1) year option periods thereafter.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 25. 16-0730** Health and Human Services Agency, Community Services Division, recommending the Board consider and approve in concept an amendment to Chapter 8.74 of Title 8 of the County of El Dorado Code of Ordinances in accordance with Board of Supervisors Policy A-3 "Ordinances - New or Amended." This amendment to Chapter 8.74 of Title 8 would pertain to County Emergency Medical Services, System Description, paragraph A-1 "Exclusive operating areas - County Service Area 3 - South Shore," thereby modifying the County Service Area 3 from an "exclusive" designation to a "non-exclusive" designation with respect to ground Mental Health interfacility transports. (Cont. 7/16/2016, Item 45) (Est. Time: 45 Min.)

FUNDING: N/A

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Approve this matter with direction to the CAO's office to include key stakeholders as appropriate in the development of the ordinance amendment.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

11:00 A.M. - TIME ALLOCATION

- 26. 16-0798** Supervisor Frentzen recommending the Board recognize and honor Brittany Gaines as Miss Shingle Springs/Cameron Park Chamber of Commerce 2016. Brittany was crowned on June 14, 2016 and is the first recipient of this award. The Shingle Springs/Cameron Park Chamber plans to make this an annual event to acknowledge the achievements of a young person in our community who has overcome unusual difficulties in their life. (Est. Time: 15 Min.)

Supervisor Frentzen and the Board recognized Brittany Gaines as Miss Shingle Springs/Cameron Park Chamber of Commerce 2016.

- 27. 16-0789** Supervisor Veerkamp recommending the Board receive a presentation from John Roe, President of El Dorado County Farm Trails to update the Board on recent activities and programs. (Est. Time: 20 Min.)

Received and filed.

28. 16-0541

Community Development Agency, Transportation Division, recommending the Board take the following actions related to the Silver Springs Parkway to Bass Lake Road (South Segment) Project, CIP 76108:

- 1) Receive a presentation containing an overview of the Project and the Subsequent Environmental Impact Report;
- 2) Certify the Final Subsequent Environmental Impact Report pursuant to the California Environmental Quality Act;
- 3) Adopt the Mitigation Monitoring and Reporting Plan;
- 4) Adopt the Findings of Fact;
- 5) Approve the Project as described in the Final Subsequent Environmental Impact Report; and
- 6) Authorize Transportation Division staff to proceed with final design, rights-of-way acquisition, permitting, and other activities for Project construction. (Est. Time: 20 Min.)

FUNDING: Project is funded by Developer Advance Traffic Impact Mitigation Funds (45%), Developer Funds (39%), Traffic Impact Mitigation Fees (15%), and Road Fund (1%). (No Federal Funds)

Public Comment: D. Shratz, S. Tsuda

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

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

DEPARTMENT MATTERS (Agenda items in this category may be called at any time)**29. 16-0607**

Community Corrections Partnership (CCP) Executive Committee recommending the Board consider the following:

- 1) Review and accept the recommended Revised Community Corrections (AB109) Public Safety Realignment Budget and related Implementation Plan for Fiscal Year 2016/17;
- 2) Review and approve the recommended distributions from the Board of State and Community Corrections Planning and Training Grant Programs, referred to as the "Community Corrections Planning and Implementation Budget for Fiscal Year 2016/17," in the amount of \$249,250; and
- 3) Approve a business practice to allow each CCP agency the ability to transfer up to 10% between individual line items, within the same expenditure class and which does not increase either approved object level spending or total approved agency budget appropriation. This business practice was approved in concept on March 30, 2016 by the CCP Executive Committee.

FUNDING: California State Budget Fiscal Year 2016/17, Community Corrections Subaccount within the Law Enforcement Services Account in the Local Revenue Fund 2011 and Budget Act of 2016.

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

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

30. 16-0729

Sheriff's Office recommending the Board:

- 1) Authorize the Chair to sign a Memorandum of Understanding (MOU) between the Sheriff's Office and the El Dorado County Superior Court, whose mutual goal in this agreement is to provide maximum court security for the term July 1, 2016 through June 30, 2017, in an amount not to exceed \$3,860,370; and
- 2) Adopt and authorize the Chair to sign Resolution **126-2016**, which amends the Authorized Personnel Allocation Resolution for the Sheriff to add one (1) full time equivalent Sergeant.

FUNDING: State of California Court Security Realignment Funding.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Novasel to Approve this matter and Adopt Resolution 126-2016.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

2:00 P.M. - TIME ALLOCATION

- 31. 16-0606** Chief Administrative Office, Economic Development Division, recommending the Board approve and authorize the Chief Administrative Officer to sign Agreement 076-S1711 with the Greater Sacramento Area Economic Council in the amount of \$60,187, for Fiscal Year 2016/17, for El Dorado County to join the organization as a voting member, and for the provision of economic development related services including regional, statewide, and international strategy development, assistance with retention and expansion of existing businesses within the County, and research on key retention and expansion projects. (Est. Time: 15 Min.)

FUNDING: Transient Occupancy Tax Funds.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to approve this matter.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

- 32. 16-0777** Chief Administrative Office recommending the Board:
- 1) Approve the **Introduction** (First Reading) of Ordinance **5040** extending Revenue and Taxation Code Section 69.5 (Proposition 90/110) authorizing receipt by the County of El Dorado of inter-county tax base year transfers; and
 - 2) Waive full reading, read by title only and continue this matter to August 16, 2016 for **Final Passage** (Second Reading). (Refer: 6/26/16, Item 52)

Staff recommending First Reading of Ordinance 5040 be Continued to August 16, 2016.

FUNDING: A \$500.00 application is charged by the County of El Dorado Assessor's Office to cover the Office's cost associated with the research and processing of Prop 90 and 110 applications.

This matter was Continued to August 16, 2016 upon approval of the Consent Calendar.

33. 16-0509

Chief Administrative Office recommending the Board authorize the Chair to sign the California Disaster Assistance Act application regarding Tree Mortality, and authorize the submittal of the application for funding related to the State's declared Tree Mortality emergency. (Est. Time: 30 Min.)

FUNDING: General Fund.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and direct staff to begin the process of identifying a Registered Forrester.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

ADJOURNED AT 4:45 P.M.

CLOSED SESSION

- 34. 16-0807** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee Organization: El Dorado County Employees Association Local No. 1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades and Crafts, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; El Dorado County Probation Officers Association; and Unrepresented Employees. (Est. Time: 20 Min.)
- No action reported. All five Supervisors participated.**
- 35. 15-0132** **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of Patricia Booth v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services group, Inc. ELOL-63236. (Est. Time: 5 Min.)
- No action reported. All five Supervisors participated.**
- 36. 15-1397** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** This body will hold a closed session to give instructions to its negotiator regarding the real property located at 3050-3066 Lake Tahoe Blvd., South Lake Tahoe, California, known as Assessor's Parcel Number 026-050-05 (56-Acre Campground). The person or persons with whom the negotiator may negotiate is the City of South Lake Tahoe. Instructions to negotiator will concern price and terms of payment. Don Ashton, or designee, will be the negotiator on behalf of El Dorado County. (Cont. 7/19/2016, Item 50) (Est. Time: 15 Min.)
- No action reported. All five Supervisors participated.**
- 37. 16-0787** **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of Jill Morse v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., Claim Number ELOU-295860, ELOX-385768, and ELOX-387075. (Est. Time: 5 Min.)
- No action reported. All five Supervisors participated.**

- 38. 16-0406** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Title: County of El Dorado v. Cal Tahoe/City of South Lake Tahoe. Number of potential cases: (1). (Cont. 7/19/16, Item 51) (Est. Time: 30 Min.)

No action reported. All five Supervisors participated.

- 39. 16-0794** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 5 Min.)

By a 5-0 vote, the Board of Supervisors authorized the County's outside counsel, Meyers Nave, to initiate litigation in the form of a Petition for Order Permitting Entry on Property (Code of Civil Procedure § 1245.030). The anticipated titles of the actions are County of El Dorado v. John Khoshcar and County of El Dorado v. Martin Szegedy.

- 40. 16-0795** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Title: Number of potential cases: (1). (Est. Time: 5 Min.)

By a 5-0 vote, the Board of Supervisors authorized the County's outside counsel, Meyers Nave, to initiate litigation in the form of a Petition for Order Permitting Entry on Property (Code of Civil Procedure § 1245.030). The anticipated titles of the actions are County of El Dorado v. John Khoshcar and County of El Dorado v. Martin Szegedy.

- 41. 16-0778** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1): Claim of Matt Reid v. County of El Dorado, Workers' Compensation Claim Settlement, York Risk Services Group, Inc., Claim Number ELOV-332521. (Est. Time: 5 Min.)

No action reported. All five Supervisors participated.

- 42. 16-0803** **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director, Health and Human Services Agency. (Est. Time: 30 Min.)

No action reported. All five Supervisors participated.

Addendum**CONSENT CALENDAR**

- 43. 16-0622** Chief Administrative Office recommending the Board receive and file Single Audit Addendum Letters 1 and 2 - June 30, 2015, and the Revised California Department of Community Services and Development Program Specific Audit Report performed by Gallina, LLP, related to grants awarded to the Health and Human Services Agency.

FUNDING: Low Income Home Energy Assistance Program.

This matter was Approved on the Consent Calendar.

- 44. 16-0812** Chief Administrative Office, Procurement and Contracts, recommending the Board consider the following:
- 1) Authorize the use of County's property located at 345 Fair Lane for the purpose of a Food Truck Fundraiser to benefit The Sheriff's Posse of El Dorado County's scholarship fund;
 - 2) Make a determination that use of the County's property as described above provides a public benefit to residents of El Dorado County; and
 - 3) Authorize the Chief Administrative Officer to sign Agreement 158-O1710 with The Sheriff's Posse of El Dorado County, Inc. for the Food Truck Fundraiser to take place on August 6, 2016 from 5:00 p.m. to 9:00 p.m.

FUNDING: None.

This matter was Approved on the Consent Calendar.

- 45. 16-0824** Chief Administrative Office and County Counsel recommending the Board consider the following:
- 1) Approve and authorize the Chair to execute a settlement, indemnity, and hold harmless agreement with the El Dorado Hills Community Services District (CSD) related to disbursements to the District from its Development Impact Mitigation Fee Account in the amounts of \$507,730.96 and \$42,604.16; and
 - 2) Order the Auditor-Controller to process a journal entry transferring \$550,335.12 from the El Dorado Hills CSD Development Impact Mitigation Fee Account (8963117) to the operating account designated by the District, contingent upon full execution of the above agreement.

FUNDING: El Dorado Hills CSD Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

- 46. 16-0491** Community Development Agency, Administration and Finance Division, recommending the Board adopt and authorize the Chair to sign Resolution **132-2016** to Rescind Resolution 117-2016, a Resolution of Intention to Form the Shinn Ranch Zone of Benefit 98616 within County Service Area 9 adopted July 19, 2016.

FUNDING: Developer Funds.

This matter was Approved and Resolution 132-2016 Adopted upon approval of the Consent Calendar.

- 47. 16-0605** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Adopt and authorize the Chair to sign Resolution **131-2016** sanctioning continuation of the closure of Malcolm Dixon Road in the El Dorado Hills area during construction of a sewer line to serve the Wilson Estates Subdivision development (TM14-1515). Daily closures will begin on July 29, 2016, and continue for thirty (30) calendar days or until the work is complete, whichever is sooner, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The closure is subject to conditions set forth in Resolution 110-79 dated May 1, 1979, and in the "Special Event Permit Application;" and
 - 2) Delegate the authority to extend this road-closure to the Community Development Agency Director, as necessary and justified, should underground conditions or other substantive issues prevent the work from being completed on-time.

FUNDING: N/A

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and Adopt Resolution 131-2016.

Supervisor Frentzen registered a Yes vote to action item 1 of this matter and a No vote specific to action item 2 of this matter pertaining to the delegation of authority to extend the road closure to the Community Development Agency Director.

Yes: 5 - Mikulaco, Veerkamp, Frentzen, Ranalli and Novasel

- 48. 13-0942** District Attorney recommending the Board approve and authorize the Chair to sign a Budget Transfer increasing estimated revenues and operating transfers in the Workers' Compensation Fraud Program Fund, and operating transfers and appropriations in the District Attorney's Office by \$13,020 to meet the Fiscal Year 2015/16 Grant Award amount of \$271,428 for the California Department of Insurance Workers' Compensation Insurance Fraud Program. (4/5 vote required)

FUNDING: California Department of Insurance Workers' Compensation Insurance Fraud Program.

This matter was Approved on the Consent Calendar.

- 49. 13-1134** District Attorney recommending the Board consider the following:
1) Receive and file the Tenth Annual Report on Real Estate Fraud for Fiscal Year 2015/16; and
2) Approve and authorize the Chair to sign a Budget Transfer increasing estimated revenues and operating transfers in the Real Estate Fraud Prosecution Trust Fund, and operating transfers and appropriations in the District Attorney's Office by \$5,704 for approved expenditures. (4/5 vote required)

FUNDING: Real Estate Fraud Prosecution Trust.

This matter was Approved on the Consent Calendar.

- 50. 14-0731** District Attorney recommending the Board approve and authorize the Chair to sign a Budget Transfer increasing Fiscal Year 2015/16 revenue and operating transfers in the Indian Gaming Impact Account Fund, and operating transfers and appropriations in the District Attorney's Office by \$49,803. (4/5 vote required)

FUNDING: Indian Gaming Grant.

This matter was Approved on the Consent Calendar.

- 51. 16-0821** Supervisor Mikulaco recommending the Board provide direction to the Chief Administrative Office and Community Development Agency to explore enhancing the marketability of the El Dorado Hills Business Park.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

CLOSED SESSION

52. 16-0820

Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Title: El Dorado Council.ORG and El Dorado Council, Inc. v. County of El Dorado and El Dorado County Board of Supervisors, El Dorado County Superior Court Case Number PC20160333. Number of potential cases: (1) (Est. Time: 5 Min.)

No action reported. All five Supervisors participated.