



County of El Dorado

Board of Supervisors
Department
330 Fair Lane, Building A
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, August 13, 2019

9:00 AM

330 Fair Lane, Placerville, CA

ADDENDUM

Staff recommending item 8 be Continued to August 27, 2019

There was a clerical correction to item 20.

Item 23 is hereby added to Department Matters.

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 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:** 4 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Hidahl and Supervisor Parlin
- Absent:** 1 - Supervisor Novasel

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Craig Klatt of the Camino Adventist Church gave the Invocation.
Supervisor Hidahl led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Adopt the Agenda and Approve the Consent Calendar with the following changes:

- Pull item 13 for discussion.
- Continue item 14 to September 24, 2019.

Yes: 4 - Veerkamp, Frentzen, Hidahl and Parlin

Absent: 1 - 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.

OPEN FORUM

Public Comment: K. Greenwood

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

- 1. **19-1206** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of August 6, 2019.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **16-0305** Chief Administrative Office recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 8/6/19, Item 2)

This matter was Approved on the Consent Calendar.

- 3. **19-1204** Chief Administrative Office and Probation Department recommending the Board authorize the Chair to sign a letter to the Juvenile Justice and Delinquency Prevention Commission in response to their 2019 Juvenile Treatment Center Inspection Report.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 4. **19-1210** Chief Administrative Office, Central Fiscal division and Treasurer-Tax Collector recommending the Board:
1) Approve the attached budget transfer increasing revenue and expenses in the certified access specialist (CASp) Certification and Training Fund to allow for the transfer of funds to the State and the Treasurer-Tax Collector's office based on the \$4 business license fee established by State Assembly Bill 1379 (4/5 vote required); and
2) Direct the Auditor-Controller to establish two special revenue funds to replace the existing CASp Certification and Training Fund, one in the Treasurer-Tax Collectors office and one in Planning and Building to allow for proper accounting of the funds.

FUNDING: Business License Fees.

This matter was Approved on the Consent Calendar.

5. **19-0910** Chief Administrative Office, EMS and Emergency Preparedness Division, recommending the Board:
- 1) Approve and authorize the Chair to sign Memorandum of Understanding (MOU) 4078 with Alpine County, for the period of September 1, 2019, through August 31, 2022, for the provision of ambulance services via an agreement with the County Service Area 3 ambulance contractor within the defined boundaries of Alpine County, on a fee-for-service basis; and
 - 2) Authorize the Chief Administrative Officer, or designee, to execute further documents relating to MOU 4078, including amendments which do not increase the term of the MOU, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Fee-for-service billing to patient or third party payer for services provided.

This matter was Approved on the Consent Calendar.

6. **19-1181** Clerk of the Board, based upon the recommendation of the In-Home Supportive Services Advisory Committee, recommending the following pertaining to In-Home Supportive Services Advisory Committee's membership:
- 1) Change Ellen Yevdakimov from a Community Representative to a Consumer Representative, Term Expiration 1/8/2020; and
 - 2) Appoint Brian Lordson, Community Member, Term Expiration 8/13/2021.

This matter was Approved on the Consent Calendar.

7. **19-1134** Human Resources Department recommending the Board:
- 1) Authorize continuation of the current perpetual Agreement 471-S1211 with GovernmentJobs.com, Inc., doing business as Neogov, for the ongoing maintenance of the County-wide applicant tracking license, subscription to GovernmentJobs.com website, and background check integration for the period of July 1, 2019 through June 30, 2020. Estimated costs for the year \$23,689.12; and
 - 2) Approve and authorize the Purchasing Agent to sign an amendment to the contract to allow for the purchase of a new module for performance evaluation tracking for the period of July 1, 2019 through June 30, 2020. Estimated costs for the year \$36,819.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

8. 19-1159

Human Resources Department recommending the Board:
1) Conceptually approve the conversion from an Interagency Merit System county to an Approved Local Merit System county, allowing the County to administer and manage all County personnel functions currently administered and managed by the California Department of Human Resources (CalHR) via a contract with CPS HR Consulting; and
2) Authorize the Director of Human Resources to initiate the request with CalHR on behalf of the Board of Supervisors asking for a review of the County's personnel system.

FUNDING: N/A

Staff recommending this matter be Continued to August 27, 2019.

This matter was Continued to August 27, 2019 upon Approval of the Consent Calendar.

9. 19-1160

Human Resources Department recommending the Board:
1) Approve the revised County-wide class specification: Planning Manager (Title Change from Principal Planner to Planning Manager); and
2) Adopt and authorize the Chair to sign Resolution **129-2019** to approve the abovementioned title change.

FUNDING: N/A

This matter was Approved and Resolution 129-2019 was Adopted upon Approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

10. 19-1136

Health and Human Services Agency recommending the Board of Supervisors, acting as the governing board for the Public Housing Authority:

- 1) Authorize the submission of a funding application to the US Department of Housing and Urban Development (HUD), Office of Public and Indian Housing, for the Mainstream Voucher Program;
- 2) Delegate authority to the Director of Health and Human Services to sign the Mainstream Voucher Program Funding Application as the Housing Authority Representative, thereby certifying compliance with Equal Opportunity Employment, Lobbying, and Drug Free Workplace requirements identified by HUD;
- 3) Delegate authority to the Director of Health and Human Services to accept funding and execute the funding agreement, if awarded, including any extension(s) or amendment(s) thereto, contingent upon County Counsel and Risk Management approval; and
- 4) Authorize the Director of Health and Human Services Agency, Chief Fiscal Officer, or designee, to administer any agreement, or subsequent administrative documents relating to said award, including required fiscal and programmatic reports.

FUNDING: Federal Funding.

This matter was Approved on the Consent Calendar.

11. 19-1156

Health and Human Services Agency (HHSA) recommending the Board:

- 1) Award Request for Proposals 19-918-025, to Telecare Corporation, for the operation and management of the County's Psychiatric Health Facility; and
- 2) Authorize HHSA to negotiate an Agreement for Services with Telecare Corporation, with a total not-to-exceed amount to be negotiated, and with a term effective on execution through January 31, 2025, with the possibility of an additional five-year term extension, contingent upon mutual agreement between the County Board of Supervisors or designee and Telecare Corporation.

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

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 12. **19-0876** Department of Transportation recommending the Board approve and authorize the Chair to sign the following on-call Construction Services Agreements to provide, on an as-needed basis, for various types of road surface treatments on County maintained roadways on the West and East Slope of the County, both with a not-to-exceed amount of \$7,500,000 and with a three (3) year term:
 - 1) Agreement for Construction Services 4082 with American Pavement Systems, Inc.; and
 - 2) Agreement for Construction Services 4083 with Pavement Coatings Co.

FUNDING: Local Discretionary (Local), Road Fund (State) and SB1-RMRA (State).

This matter was Approved on the Consent Calendar.

- 13. **19-0996** Department of Transportation recommending the Board approve and authorize the Chair to sign Cooperative Agreement 03-0651 between California Department of Transportation and County of El Dorado defining the cost contribution for the construction capital and support phases of the U.S. 50/Camino Area Safety Project, CIP 71319/36104015.

FUNDING: Highway Safety Improvement Program Funds (100%). (Federal Funds)

Public Comment: T. Kayes, S. Taylor

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

Yes: 3 - Veerkamp, Frentzen and Hidahl

Noes: 1 - Parlin

Absent: 1 - Novasel

- 14. **19-1130** Department of Transportation recommending the Board approved and authorize the Chair to sign the Offsite Road Improvement Agreement for Malcolm Dixon Area of Benefit, Road Improvement Agreement 19-54910, between the County and the Developers, Omni Financial, LLC, Alto, LLC, Salmon Falls Land & Cattle Company, LLC, Diamante Development, LLC and Christopher A. LaBarbera Revocable Trust, 2019.

FUNDING: Developer Funded.

This matter was Continued to September 24, 2019 upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 15. 19-0919** Probation Department recommending the Board authorize amendment of the Fiscal Year 2019-2020 Authorized Personnel Allocation Resolution, by deleting one full-time equivalent (1.0 FTE) vacant Deputy Chief Probation Officer, and adding one full-time equivalent (1.0 FTE) Superintendent - Institutions as a result of the proposed organizational restructure of the Department's management level positions.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 16. 19-1007** Sheriff's Office recommending the Board ratify Contract 3050, with the City of South Lake Tahoe for the lease of Hangar space used by the Sheriff's Office Search and Rescue unit in the approximate amount of \$6,000 annually.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 17. 19-1155** Chief Administrative Office recommending the Board consider the Draft Board of Supervisors Responses to the 2018-2019 Grand Jury Reports 18-02, Mental Health Services Act Fund Spending, and 18-06, A Fair Review, both issued May 29, 2019 and 18-03, Jail and Juvenile Detention Centers Inspection, issued on May 20, 2019; providing any final direction to staff regarding any changes to include with the Final Response for these reports; recommending approval of the report as the Final Responses and respective letter of transmittal to the Presiding Judge if no changes are recommended. (Est. Time: 15 Min.)

FUNDING: N/A

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

Yes: 4 - Veerkamp, Frentzen, Hidahl and Parlin

Absent: 1 - Novasel

10:00 A.M. - TIME ALLOCATION

- 18. 19-1100** HEARING - Department of Transportation to provide the Board with an update on the grant funding projections for El Dorado County and how the decreased revenue projections affect the Traffic Impact Mitigation (TIM) Fee program and provide staff direction. (Est. Time: 1.5 Hr.) (Cont. 8/6/2019, Item 21)

FUNDING: Traffic Impact Mitigation Fee Program.

Public Comment: J. Harn, K. Payne, T. Kayes, J. Short, C. Roberts

Supervisor Veerkamp re-opened the public hearing from the August 6, 2019 Board meeting and upon conclusion of public comment and staff input, closed the hearing.

A motion was made by Supervisor Frentzen to deny this Interim Traffic Impact Mitigation (TIM) fee update and direct staff to return to the Board within 30 days with a plan and timeline on how to expedite the Major Traffic Impact Mitigation Fee program update.

Motion failed for lack of a second.

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to direct staff to move forward with Alternative 2 (Attachment D - Exhibit C) but at half the increments proposed in Alternative 2 to be effective January 1, 2020. This would allow staff to prepare the final analysis within the 20-24 month time frame and the Board to determine the final adjustments from the analysis. Motion failed.

Yes: 2 - Veerkamp and Hidahl

Noes: 2 - Frentzen and Parlin

Absent: 1 - Novasel

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Continue this matter to September 17, 2019 to allow staff to evaluate expediting the Major Traffic Impact Mitigation (TIM) fee update and allow full Board attendance. Additionally, staff was directed to evaluate implementation of Alternative 2 (Attachment D - Exhibit C) but at half the increments proposed in Alternative 2, to be effective January 1, 2020. This will be referred to as Alternative 3.

Yes: 3 - Veerkamp, Hidahl and Parlin

Noes: 1 - Frentzen

Absent: 1 - Novasel

ITEMS TO/FROM SUPERVISORS

Supervisor Frentzen reported on the following:

Fire Safe Council meeting.

Wine in the Vines.

Local Agency Formation Commission Board meeting.

Emergency Medical Services Preparedness.

Supervisor Parlin reported on the following:

Veterans Affairs Commission meeting.

Cemetery Advisory Committee Advisory meeting.

Cameron Park Airport meeting.

Tree Mortality working group.

Forest Task Force meeting.

Rural County Representatives of California meeting.

Supervisor Hidahl reported on the following:

El Dorado Hills Chamber meeting.

Office of Emergency Services.

Veterans Affairs Commission meeting.

Cemetery Advisory Committee Advisory meeting.

Employee Orientation.

Cannabis Ad Hoc meeting.

Supervisor Veerkamp reported on the following:

Forest Management meeting.

Highway 50 Emergency Services meeting.

US 50 traffic meeting.

Gold Panning trip to Finland.

Bus transit in Finland.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Sheldon Ford field representative for Senator Dahle meeting.
Insurance Commissioner's Office.
No Board meeting next week.
Next Board meeting August 27, 2019.
Special Meeting September 6, 2019.

ADJOURNED AT 1:21 P.M.

CLOSED SESSION

- 19. 19-1192 Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organizations: Operating Engineers Local 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Managers' Association, and El Dorado County Deputy County Counsel Association. (Est. Time: 15 Min.)

No Action Reported. Supervisors Hidahl, Frentzen, Veekamp, Parlin participated. Supervisor Novasel was absent.

- 20. 19-1214 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 for the Hank's Exchange at Squaw Hollow Creek - Bridge Replacement, CIP 77135, regarding the real properties owned by David W. Fausel and Deanna M. Fausel as Trustees Under Declaration of Trust dated February 24, 1997, described as follows:
- 1) APN ~~090~~099-010-023, 4880 Hank's Exchange Rd, Placerville CA 95667;
 - 2) APN ~~090~~099-010-024, 4881 Hank's Exchange Rd, Placerville CA 95667; and
 - 3) APN 046-022-001, No Physical Address, Placerville CA 95667.

Instructions to El Dorado County's negotiator will concern price and terms of payment. Tanna Reynoso will be the negotiator on behalf of El Dorado County. The parties with whom El Dorado County's negotiator may negotiate are those parties identified above and their agents and successors. (Est Time: 10 Min.)

No Action Reported. Supervisors Hidahl, Frentzen, Veekamp, Parlin participated. Supervisor Novasel was absent.

- 21. 19-1218 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Number of potential cases: Wendy Silverthorne Tort Claim (1). (Est. Time: 10 Min.)

No Action Reported. Supervisors Hidahl, Frentzen, Veekamp, Parlin participated. Supervisor Novasel was absent.

- 22. 19-1213 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Number of potential cases: (5+). (Est. Time: 15 Min.)

No Action Reported. Supervisors Hidahl, Frentzen, Veekamp, Parlin participated. Supervisor Novasel was absent.

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.

ADDENDUM

Staff recommending item 8 be Continued to August 27, 2019

There was a clerical correction to item 20.

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

23. 19-1209

Department of Transportation and Probation Department recommending the Board:

- 1) Retroactively approve the request for a non-standard vehicle upgrade from a Crown Victoria to a Chevrolet Tahoe; and
- 2) Approve the request to transfer \$11,354.48 in budgeted appropriations from services and supplies to Operating Transfers Out for Fleet in Fiscal Year 2018-2019 for the Probation Department vehicle upgrade from a Crown Victoria to a Chevrolet Tahoe (~~4/5~~ 3/5 vote required). (Est. Time 10 Min.)

FUNDING: General Fund.

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

Supervisor Frenzen registered a No vote on this matter based on the request for a non-standard vehicle upgrade being retroactive.

Yes: 3 - Veerkamp, Hidahl and Parlin

Noes: 1 - Frenzen

Absent: 1 - Novasel