



County of El Dorado

Board of Supervisors
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Minutes - Draft

Board of Supervisors

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

James S. Mitrisin, Clerk of the Board of Supervisors
Larry T. Combs, Chief Administrative Officer
Robyn Truitt Drivon, County Counsel

Tuesday, August 25, 2015

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item No. 26 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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<http://eldorado.legistar.com/Calendar.aspx>

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Public comment will be received on each agenda item listed under Department Matters as it is called. 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. 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. Public comment on items scheduled for Closed Session will be received promptly at 8:00 A.M. before the Board recesses to Closed Session. The Board reserves the right to waive said rules by a majority vote.

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: 4 - Supervisor Veerkamp , Supervisor Frentzen, Supervisor Ranalli and Supervisor Novasel

Absent: 1 - Supervisor Mikulaco

9:27 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Novasel gave the Invocation.

Supervisor Novasel led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF THE CONSENT CALENDAR

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

Continue items 10, 14 and 15 to September 1, 2015.

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 with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: C. Koffman, J. Resenbeck, C. Morris, R. Bender, K. McAllister, J. McGolfin, F. Saso, L. Pedrise

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. The Board reserves the right to impose a reasonable limit of time afforded to any topic or individual speaker.

DEPARTMENT/SUPERVISOR REPORTS

Supervisor Frentzen gave an update on the Fire Safe Council and the \$150,000 grant they received to clear a loop for evacuation. She acknowledged the volunteers and all the work they do.

Supervisor Frentzen attended a workshop that the Transportation Commission held in Placerville for the Apple Hill area. Traffic and the patterns of traffic were discussed.

Supervisor Novasel attended the Tahoe Summit. Governor Brown and Senator Feinstein were in attendance. The topic of the Summit was transportation. She participated in a stakeholders lunch. They discussed permitting processes in Lake Tahoe and how to streamline those processes to encourage economic development.

Supervisor Ranalli also participated in the 19th Annual Lake Tahoe Summit. There were discussions on transportation, water quality, invasive species in the lake, restoration, fuel reduction and the consequences of catastrophic wild fires. The Divide was able to shine, because of the Perry King movie that is moving forward. The movie is called "The Divide".

The King Forest final environmental impact statement is due out from the Forest Service next week. There are several meetings coming up on the travel analysis update for the Forest Service. Laurence Crabtree from Forest Service gave an update. The final segment of the Richardson Trail is set to open. It is a critical four wheel drive access to Richardson lake.

Supervisor Ranalli attended the Rural County Representatives of California (RCRC) meeting. RCRC voted to support SB1879. They voted to support the bill if amended due to some significant flaws.

Supervisor Veerkamp attended Sacramento Area Council of Governments last Thursday.

On Saturday, Supervisor Veerkamp attended an Eagle Scout presentation. Supervisor Veerkamp attended a workshop in the Camino area which dealt with the challenges of the success of Apple Hill. Apple Hill kicks off on Labor Day weekend.

CONSENT CALENDAR

- 1. **15-0995** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of August 18, 2015.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **15-0630** Chief Administrative Office and Clerk of the Board recommending the Board adopt revisions to Board of Supervisors Policy I-5 as directed by the Board on August 11, 2015. (Refer: 8/11/15, Item 34)

This matter was Approved on the Consent Calendar.

- 3. **15-0950** Chief Administrative Office, Parks Division recommending the Board approve and authorize the Chair to sign Agreement #079-S1611 with Michael Baker International, Inc., to provide services in an amount not to exceed \$135,015 for a term of one year from the date of final execution to:

- 1) Identify alternate routes for the Rubicon Trail around Wentworth Springs and Wintercamp, two areas known to have Saturated Soil Conditions during winter months; and
- 2) Provide the necessary mitigation requirements for California Environmental Quality Act and National Environmental Policy Act environmental review for the identification of alternate trail alignments on the Rubicon Trail.

FUNDING: California State Parks, Off Highway Motor Vehicle Division Grants.

This matter was Approved on the Consent Calendar.

- 4. **13-1410** Chief Administrative Office, Parks Division, recommending the Board approve the Fiscal Year 2015/16 member agency annual contribution to the Sacramento-Placerville Transportation Corridor Joint Powers Authority in the amount of \$27,500.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

5. **15-0977** Chief Administrative Office recommending the Board consider the following:
1) Authorize the Chief Administrative Officer to negotiate and execute a facilities use agreement with My Hero Film Productions, LLC to allow commercial filming at the Cameron Park Library, contingent upon County Counsel and Risk Management approval of the agreement; and
2) Direct staff to develop a policy or process regarding the use of County owned property for motion picture or television production and return to the Board with recommendations regarding same no later than December 15, 2015.

FUNDING: Charges for Services.

This matter was Approved on the Consent Calendar.

6. **15-0957** Elections recommending the Board adopt and authorize the Chair to sign Resolution **142-2015** consolidating local jurisdiction elections with the upcoming November 3, 2015 election.

Resolution 142-2015 was Adopted upon Approval of the Consent Calendar.

7. **14-1125** Supervisor Veerkamp recommending the Board approve and authorize the Chair to sign a Proclamation recognizing the Month of September, 2015, as Childhood Cancer Awareness Month.

This matter was Approved on the Consent Calendar.

8. **15-1004** Supervisor Veerkamp recommending the Board join him in recognizing the achievements of Cole Williams for achieving the rank of Eagle Scout, Boy Scouts of America, Troop 460, Pleasant Valley/Placerville, California and ratify his signature on a certificate.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

9. 12-0132

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

- 1) Approve and authorize the Chair to sign Amendment 4 to Agreement for Services 308-S1211 with James N. Hardwick dba New Leaf Counseling Services increasing the not-to exceed amount by \$50,000 for a maximum contractual obligation of \$300,000 for the continued provision of therapeutic counseling, in-patient and out-patient substance abuse treatment services, substance abuse testing and related services, on an "as requested" basis for clients referred by the Health and Human Services Agency for the term ending February 27, 2017; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 308-S1211, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

FUNDING: Funded with a blend of Federal and State funds (85%) and realignment funding (15%).

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 10. 15-0695** Community Development Agency, Administration and Finance Division, recommending the Board take the following actions pertaining to the Crack Seal and Remark Runway 5-23, Taxiways, Aprons and Taxilanes Project at the Placerville Airport, Contract No. PW 15-31096, CIP No. 93129, P&C No. 044-C1699:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder, subject to Federal Aviation Administration review and approval; said bidder to be determined after the bid opening scheduled for August 10, 2015;
 - 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management;
 - 3) Authorize the Community Development Agency Director, or designee, 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;
 - 4) Provide grant award acceptance and approval of the Federal Aviation Administration Grant Agreement and Terms and Conditions of Accepting Airport Improvement Program Grants in an estimated amount of \$276,752 (depending on awarded bid amount) from the United States Department of Transportation, Federal Aviation Administration, and authorize the Community Development Agency Director or his designee to execute all associated documents, subject to review and approval by County Counsel; and
 - 5) Provide grant award acceptance and approval for a State of California, Department of Transportation, Aeronautics Division Airport Improvement Program Matching Grant in an estimated amount of \$13,837 (depending on awarded bid amount), if successful, and authorize the Community Development Agency Director, or designee, to execute all associated documents, subject to review and approval by County Counsel.

FUNDING: Federal Aviation Administration Grant (90%) and Accumulated Capital Outlay Fund (10%). (Federal Funds)

This matter was Continued to September 1, 2015 upon Approval of the Consent Calendar.

11. 15-0032

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Silva Valley Parkway/Serrano Parkway Traffic Circulation Improvement Project Contract No. PW 15-31095, CIP No. 72141, P&C No. 002-C1699:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 13, 2015;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents 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: Regional Surface Transportation Program Exchange Funds - Caltrans (100%). (No Federal Funds)

This matter was Approved on the Consent Calendar.

12. 15-0276

Community Development Agency, Transportation Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Delta Construction Company, Inc. for the Gold Hill Overlay Project, CIP No. 72119, Agreement No. 14-31086, P&C No. 362-C1599; and
- 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Community Development Agency, Transportation Division after the one-year guarantee period.

FUNDING: Tribe Funding. (No Federal Funds)

This matter was Approved on the Consent Calendar.

- 13. 15-0766** Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Bass Lake Road Overlay Project, Contract No. PW 15-31094, CIP No. 72189, P&C No. 028-C1699:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 6, 2015;
 - 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents 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: Regional Surface Transportation Program Funds - Urban (100%). (Federal Funds)

This matter was Approved on the Consent Calendar.

- 14. 15-0990** Community Development Agency, Development Services Division, submitting for approval Final Map (TM04-1391-F3) for Carson Creek Unit 1, Phase A creating a total of 134 residential lots, ranging in size from 4,725 to 13,781 square feet, and 32 lettered lots on property identified by Assessor's Parcel Numbers 117-570-01 through 117-570-09 located on the south side of Golden Foothill Parkway 0.41 mile west of the intersection with Latrobe Road in the El Dorado Hills Area and recommending the Board consider the following:
- 1) Approve the Final Map for Carson Creek Unit 1, Phase A Subdivision; and
 - 2) Approve and authorize the Chair to sign the Agreement to Make Subdivision Improvements (Supervisory District 1).

FUNDING: N/A (Developer funded subdivision improvements).

This matter was Continued to September 1, 2015 upon Approval of the Consent Calendar.

15. 15-0991

Community Development Agency, Development Services Division, submitting for approval Final Map (TM04-1391-F-4) for Carson Creek Unit 1, Phase B creating a total of 47 residential lots, ranging in size from 6,620 to 14,850 square feet, and 6 lettered lots on property identified by Assessor's Parcel Numbers 117-570-01 and 117-570-05 located on the south side of Golden Foothill Parkway 0.41 mile west of the intersection with Latrobe Road in the El Dorado Hills Area and recommending the Board consider approving the Final Map for Carson Creek Unit 1, Phase B Subdivision (Supervisory District 1).

FUNDING: N/A (Developer funded subdivision improvements).

This matter was Continued to September 1, 2015 upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 16. 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. 8/18/15, Item 10)

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION**GENERAL GOVERNMENT - 10:00 A.M. TIME ALLOCATION**

- 17. 14-1130** Supervisor Veerkamp recommending the Board approve and authorize the Chair to sign a Proclamation recognizing September, 2015, as Prostate Cancer Awareness Month. (Est. Time: 5 Min.)

Supervisor Veerkamp read the Proclamation.

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

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

- 18. 15-0913** Supervisor Veerkamp recommending the Board consider the following:
1) Authorize the Chair to sign a proclamation in celebration of the El Dorado County Chamber of Commerce - 100 Year Anniversary; and
2) Receive a presentation from Chamber representatives. (Est. Time: 15 Min.)

Supervisor Veerkamp read the Proclamation.

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

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

HEALTH AND HUMAN SERVICES - 10:00 A.M. TIME ALLOCATION

- 19. 15-0964** Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
1) Adopt El Dorado County's Mental Health Services Act Three-Year Plan Update, covering Fiscal Years 2015/16 through Fiscal Year 2017/18;
2) Authorize implementation of the Three-Year Plan Update through June 30, 2016 or until the next Three-Year Plan Update is adopted by the Board, whichever occurs at the later date; and
3) Authorize the Director to sign and submit the "MHSA Housing Program County Funding Release Form". (Est. Time: 30 Min.)

FUNDING: State Mental Health Services Act Funds, Federal Medi-Cal, Expenditure Offsets from Insurance Reimbursements (Federal, State or Private Insurance), State AB 109, Federal Allocations, Interest.

Public Comment: J. Abram, J. Millenko

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

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

20. 15-0844

Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign Resolution **141-2015**, authorizing the implementation of an Assisted Out-Patient Pilot Program in El Dorado County, also known as Laura’s Law, with a total maximum obligation of \$500,000 over the course of approximately three years, and declaring that no voluntary services will be reduced as a result of this implementation.

FUNDING: State Mental Health Services Act Funds; Community Corrections Partnership funding; and Medi-Cal funding if applicable.

Public Comment: D. Raymond, J. Millenko, J. Abram

A motion was made by Supervisor Novasel, seconded by Supervisor Ranalli to Adopt Resolution 141-2015.

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

END 10:00 A.M. TIME ALLOCATION

2:00 P.M. - TIME ALLOCATION

GENERAL GOVERNMENT - 2:00 P.M. TIME ALLOCATION

21. 15-0911

Chief Administrative Office, Parks Division and Community Development Agency, Transportation Division, recommending the Board consider the following:

- 1) Receive a presentation regarding the current status and design Option A and Option B for the El Dorado Trail - Missouri Flat Road to El Dorado Road Project, CIP No. 97014 and the El Dorado Trail - Missouri Flat Road Bike/Pedestrian Overcrossing Project, CIP No. 97015;
- 2) Receive a presentation from the El Dorado County Historical Museum, Railroad Program regarding the current status and future of the Railroad/Living History Program; and
- 3) Provide direction to staff for moving forward on the Projects. (Est. Time: 1 Hr.)

FUNDING: Congestion Mitigation and Air Quality Program Funds - Planning and Design Phase (100%). (Federal Funds)

Public Comment: J. Sweeney, S. Fredricks, R. Boyland, B. Thompson, B. Smart, R. Primentel, R. Paces, G. Turnbo, L. Parlin, W. Thomas, D. Rose, S. Hingem, M. Speigel, M. Donkay, E. Crimm, E. Cunua, J. Matthews, K. Smith, B. Cunua, S. Taylor, B. Freeman, J. Harvel, D. Bolster, K. Payne

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to direct staff to:

- 1) **Conduct a complete analysis of all options for the El Dorado Trail - Missouri Flat Road corridor and return to the Board with those options; and**
- 2) **Consult with homeowners adjacent to the El Dorado Trail - Missouri Flat Road corridor regarding the impact of these options.**

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

END 2:00 P.M. TIME ALLOCATION

CAO UPDATE

No update.

ITEMS TO/FROM SUPERVISORS

No update.

ADJOURNED AT 5:22 P.M. in honor of Betty Bacchi.

CLOSED SESSION

- 22. 15-0680** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Jack Hughes of Liebert, Cassidy, Whitmore; Director of Health and Human Services Agency and/or designee. Non-employee organization: In-Home Supportive Services. (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
- 23. 14-1183** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: El Dorado County v. Sacramento County, Respondent, and Sacramento County Airport System, Real Party in Interest; Sacramento County Superior Court Case No. 34-2014-80001947 (Est. Time: 10 Min.)
- No Action Reported. All five Supervisors participated.**
- 24. 15-1002** **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 vote of 5/0, 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 Section 1245.030). The anticipated titles of the actions are:**
- 1) County of El Dorado v. Janice L. Eppinger, Trustee of the Eppinger 2000 Revocable Trust; and**
 - 2) County of El Dorado v. Wanda H. Nagel, Trustee of the Nagel Revocable Trust of 1/14/1999.**
- 25. 15-1003** **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 vote of 5/0, 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 Section 1245.030). The anticipated titles of the actions are:**
- 1) County of El Dorado v. Janice L. Eppinger, Trustee of the Eppinger 2000 Revocable Trust; and**
 - 2) County of El Dorado v. Wanda H. Nagel, Trustee of the Nagel Revocable Trust of 1/14/1999.**

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. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete and submit an Application Form to the Clerk of the Board of Supervisors. The application is available online at: <http://www.edcgov.us/BOS/Forms.aspx> or at the Board of Supervisor's office, 330 Fair Lane, Placerville, CA.

Digital Recordings of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)

ADDENDUM

CLOSED SESSION

26. 15-1021

Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Title: Placerville Historic Preservation League vs. Judicial Council of California (CPF-15-514387). (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.