



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

James S. Mitrising, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, Interim County Counsel

Tuesday, April 9, 2019

9:00 AM

330 Fair Lane, Placerville, CA

ADDENDUM

Staff requesting Item 9 be Continued off Calendar

Item 10 is hereby moved to 11:00 A.M. - TIME ALLOCATION

Item 21 is hereby moved to the Consent Calendar

Item 33 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.

Live Web Streaming and archiving of most Board of Supervisors meeting videos, all meeting agendas, supplemental materials and meeting minutes are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

To listen to open session portions of the meeting in real time, dial (530) 621-7603. This specialized dial in number is programmed for listening only and is operable when the audio system inside the meeting room is activated. Please be advised that callers will experience silence anytime the Board is not actively meeting, such as during Closed Session or break periods.

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

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

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

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

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

PROTOCOLS FOR PUBLIC COMMENT

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

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

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

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

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

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

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

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

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

9:01 A.M. - CALLED TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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

Supervisor Frentzen registered a No vote on item 15 expressing serious concerns regarding the California Tahoe Emergency Services Operations Authority's Financial Audit Reports.

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

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

OPEN FORUM

Public Comment: K. Payne, M. Lane, T. Janies, K. Lipon, T. Kayes, L. Knutson

19-0619 OPEN FORUM (See Attachment)

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

CONSENT CALENDAR

1. **19-0542** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on April 2, 2019.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. **19-0418** Assessor's Office recommending the Board approve and authorize the Purchasing Agent to sign an amendment to Agreement 902 (478-S1711) with Carie Toeller, DBA C. Toeller Consulting, to extend the term of the existing agreement through 12/31/2019.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

3. **19-0238** Auditor-Controller recommending the Board Approve the Final Passage (Second Reading) of Ordinance **5100** to Levy Special Taxes within Community Facilities District 2019-1 (Bass Lake Hills Services). (Cont. 4/2/19, Item 42)

Ordinance 5100 was Adopted upon Approval of the Consent Calendar.

4. **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. 4/2/19, Item 3)

This matter was Approved on the Consent Calendar.

5. **19-0430** Chief Administrative Office, Central Fiscal Division, recommending the Board approve and authorize the Chair to sign Resolution **050-2019** amending the Authorized Personnel Allocation to add 1.0 FTE Sr. Administrative Analyst, 1.0 FTE Administrative Technician, and 0.5 FTE Sr. Office Assistant to the division due to the transfer of the County's Emergency Preparedness and Response program and the Emergency Medical Services program duties to the Chief Administrative Office.

FUNDING: Combination of CSA (96%), State (1%), and General Fund (3%).

Resolution 050-2019 was Adopted upon Approval of the Consent Calendar.

6. **19-0445** Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.

FUNDING: Various.

This matter was Approved on the Consent Calendar.

7. **19-0549** Clerk of the Board, based upon the recommendation of Supervisor Parlin, recommending the Board make the following appointments to the Kelsey Cemetery District:
Reappoint George H. Heneger, Member, Term Expiration 4/9/2023.
Reappoint Raymond LeVitt, Member, Term Expiration 4/9/2023.
Reappoint Patricia H. Lyons, Member, Term Expiration 4/9/2023.
Reappoint Robert A. Villalobos, Member, Term Expiration 4/9/2023.

This matter was Approved on the Consent Calendar.

8. **19-0530** El Dorado County Fair Board of Directors inviting the Board of Supervisors to an informal annual luncheon and presentation on Monday, April 29, 2019 at 12:00 P.M. at the El Dorado County Fairgrounds (Marshall Building), 100 Placerville Drive, Placerville, CA.

This matter was Approved on the Consent Calendar.

9. **19-0496** Human Resources Department recommending the Board
1) Approve and adopt new and revised class specifications for the Information Technologies Department; and
2) Adopt and authorize the Chair to sign Resolution **052-2019** to approve five title changes; the salary range, job class number, and bargaining unit for six new classifications; change to salary range and FLSA status for the Information Technology Supervisor classification; and associated changes to the personnel allocation.

Director of Human Resources recommending this matter be continued off calendar.

FUNDING: General Fund.

This matter was Continued off Calendar upon Approval of the Consent Calendar.

10. 19-0548 Human Rights Commission recommending the Board approve the Commission Bylaws, approved by the Commission on November 19, 2018. (Est. Time: 10 Min.)

FUNDING: N/A

Public Comment: T. Kayes, L. Gularte

Item 10 was moved to 11:00 A.M. - TIME ALLOCATION

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter with a change to the bylaws language in Article V – Meetings A. as follows:

From - "The Commission shall hold regular meetings on the second Monday of each month."

To - "The Commission shall hold meetings on a monthly basis."

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

11. 19-0557 Recorder-Clerk recommending the Board:
- 1) Recognize and acknowledge Linda Pinelli on her retirement from the County of El Dorado after 34 years of dedicated service; and
 - 2) Approve and authorize the Chair to sign a Proclamation recognizing Linda Pinelli's dedication to public service and to congratulate her on her retirement on April 12, 2019.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

12. 19-0544 Supervisor Frentzen recommending the Board approve and authorize the Chair to sign Resolution **053-2019** permitting J&M Displays West to conduct a firework display at the Cameron Park Lake on Saturday, June 29, 2019, as part of the Cameron Park Community Services District's 19th Annual Summer Spectacular event, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by the fire control authorities and the various agencies.

Resolution 053-2019 was Adopted upon Approval of the Consent Calendar.

13. 19-0534 Supervisor Veerkamp recommending the Board adopt and authorize the Chair to sign Resolution **054-2019** for minor updates and to reflect the name change from the El Dorado Arts Council to Arts and Culture of El Dorado, which continues to serve as the County's local partner with the California Arts Council. Adoption of this Resolution rescinds and replaces Resolution 039-2013.

Resolution 054-2019 was Adopted upon Approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS**14. 19-0318**

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment III to Agreement for Services 3093 (188-S1610) with New Connections Communications, Inc., for the provision of telephone exchange services for the County of El Dorado Health and Human Services Agency, Adult Protective Services, Behavioral Health, Child Welfare Services, Public Guardian, Public Health, and Substance Use Disorder, extending the term for one (1) year and eleven (11) months to cover the period of April 20, 2016 through April 30, 2020, with no change to the maximum obligation;
- 2) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to contract with New Connections Communications, Inc. for services provided under this Agreement 3093 (188-S1610) because the County has neither the staff nor facilities to perform said services; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 3093 (188-S1610), including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: 49% Federal, 27% Realignment, and 24% State.

This matter was Approved on the Consent Calendar.

15. 19-0322

Health and Human Services Agency recommending the Board:

- 1) Receive and file the California Tahoe Emergency Services Operations Authority's Financial Audit Reports for Fiscal Year 2015-16; and
- 2) Receive and file the California Tahoe Emergency Services Operations Authority's Financial Audit Reports for Fiscal Year 2016-17.

FUNDING: Fee-for-service and local tax revenue to County Service Area No. 3.

This matter was Approved on the Consent Calendar.

Supervisor Frentzen registered a No vote on this item expressing serious concerns regarding the California Tahoe Emergency Services Operations Authority's Financial Audit Reports.

16. 19-0462

Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign a Proclamation to recognize April 7, 2019 through April 13, 2019 as “National Animal Care and Control Appreciation Week” in the County of El Dorado.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS**17. 18-1831**

Department of Transportation recommending the Board:

- 1) Award Request for Proposal 19-918-020 to the successful proposer, HDR Construction Control Corporation;
- 2) Make findings in accordance with Section 3.13.030 of the County Ordinance that it is more economical and feasible to engage an independent contractor for on-call construction support services; and
- 3) Approve and authorize the Chair to sign Agreement for Services 3562 with HDR Construction Control Corporation to provide on-call construction support services in the not-to-exceed amount of \$900,000 for a period beginning upon execution and expiring three years thereafter.

FUNDING: Various funding sources as detailed in the Department of Transportation's Capital Improvement Program, including federal, state, and local funding.

This matter was Approved on the Consent Calendar.

18. 19-0351

Department of Transportation is recommending the Board consider the following pertaining to the Hazel Valley Road EID Canal Bridge Replacement Project, CIP 77125 /36105021, Contract 2720:

- 1) Award the Construction Contract to Q&D Construction, who was the lowest responsive, responsible bidder;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval by County Counsel and Risk Management; and
- 3) Authorize the Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

FUNDING: Highway Bridge Program (100%). (Federal Funds)

This matter was Approved on the Consent Calendar.

19. 19-0304

Environmental Management Department recommending the Board approve and authorize the Chair to sign Resolution **047-2019** authorizing the development and implementation of a business recognition program to formally recognize businesses within the County that have implemented recycling, reuse, or reduction of waste practices that meet or exceed established criteria and contribute to the countywide goal of 75% diversion of solid waste from landfilling.

FUNDING: Non-General Fund / County Service Area No. 10 - Solid Waste Funds.

Resolution 047-2019 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

20. 19-0486

Sheriff's Office recommending the Board approve and authorize the Sheriff to sign the Fiscal Year 2019-20 Boating Safety and Enforcement Financial Aid Contract with the California Department of Parks and Recreation Division of Boating and Waterways in the amount of \$319,546 for the term July 1, 2019 through June 30, 2020 to provide revenue to support boating safety and enforcement activities on the County's rivers and lakes.

FUNDING: State of California Department of Parks and Recreation Division of Boating and Waterways Boating Safety and Enforcement Financial Aid and County Boat Taxes.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 21. 19-0489** Sheriff's Office recommending the Board approve and authorize the Chair to sign the Agreement for Services 3783 with Siemens Industry, Inc. for maintenance, testing, and repairs as needed of the Fire Alarm Systems at the Placerville Jail for a five-year term retroactive to April 1, 2019 through March 31, 2024, in the amount of \$60,000.

FUNDING: General Fund.

Item 21 was moved to the Consent Calendar.

This matter was Approved on the Consent Calendar.

- 22. 19-0494** Clerk of the Board providing information regarding the feasibility of County provided business cards for members of boards, committees, and commissions that make a formal request, pursuant to Board direction on March 12, 2019. (Est. Time: 20 Min.)

Public Comment: K. Payne, M. Lane

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to Continue this matter and direct staff to return to the Board in May 2019 with additional information obtained from Department Heads.

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

10:00 A.M. - TIME ALLOCATION

- 23. 19-0513** Department of Transportation recommending the Board receive and file a presentation regarding Road Fund Operating Budget Revenue Options. (Est. Time: 1 Hr.)

Public Comment: B. George, M. Holmer, K. Payne, T. Kayes

Received and Filed.

11:00 A.M. - TIME ALLOCATION

- 24. 19-0410** Health and Human Services Agency recommending the Board:
1) Approve and authorize the Chair to sign a proclamation to recognize April 7 - 13, 2019 as National Volunteer Week; and
2) Recognize and formally thank the volunteers who work with the Health and Human Services Agency for their time and energy to support and improve our community. (Est. Time: 5 Min.)

FUNDING: N/A

Supervisor Novasel read the Proclamation.

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

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

1:30 P.M. - TIME ALLOCATION

- 25. 19-0550** Ad hoc Code Enforcement Advisory Committee recommending the Board receive and file an update on the committee's work to date and future plans in regards to vegetation management. (Est. Time: 1 Hr.)

Public Comment: M. Holmer, T. Kayes, F. DuChamp, K. Beals, J. Poke, K. Smith, M. Witt, C. Parker, S. Fredricks

Received and Filed.

ITEMS TO/FROM SUPERVISORS

Supervisor Parlin reported on the following:

Project applications.

Kelsey schoolhouse breakfast.

Kelsey cemetery.

Veterans meeting.

Supervisor Veerkamp reported on the following:

California Public Utilities Commission meeting.

Transit Authority and Transportation Commission meetings.

Tree Mortality task force meeting.

Sacramento Area Council of Government strategic planning.

Forest Management task force meeting.

CalTrans meeting.

Supervisor Frentzen reported on the following:

New Employee Orientation.

Transit Authority and Transportation Commission meetings.

Cameron Park Community Services District.

El Dorado Hills Chamber luncheon.

Supervisor Hidahl reported on the following:

El Dorado Hills Chamber luncheon.

Transit Authority and Transportation Commission meetings.

Planning staff meeting.

El Dorado Hills Advisory Committee meeting.

Supervisor Novasel reported on the following:

Assemblyman Bigelow meeting.

Public Health accreditation meeting.

Human Rights Commission Ad Hoc meeting.

Pollock Pines community meeting.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:

Transportation Director correspondence regarding Assemblyman Bigelow's meeting.

No Board meeting next week.

Special Board meeting April 22, 2019.

Regular Board meeting on April 23, 2019.

ADJOURNED AT 3:58 P.M.

CLOSED SESSION

- 26. 19-0511** **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. All five Supervisors participated.**
- 27. 19-0536** **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 Diamond Springs Parkway - Phase 1B Project regarding the real properties located in Diamond Springs with APNs 051-250-51 and 051-250-54, owned by Michael D. Lindeman and Lorraine D. Lindeman, Trustees of the Lindeman Family 2005 Trust dated October 17, 2005. Instructions to El Dorado County's negotiator will concern price and terms of payment and agreement. Kyle Lassner, Right-of-Way Supervisor, is 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. All five Supervisors participated.**
- 28. 19-0270** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code section 54956.9(d)(2) Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
- 29. 19-0509** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
- 30. 19-0556** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**

- 31. 19-0566** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 10 Min.)

No Action Reported. All five Supervisors participated.

- 32. 19-0564** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Rural Communities United v. El Dorado County Board of Supervisors; El Dorado County Superior Court Case No. PC20160024 (TGPA-ZOU). Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

ADDENDUM

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

- 33. 19-0595** Supervisor Novasel recommending the Board:
1) Authorize funding of \$1,500 to support the Tahoe Home Connections efforts to distribute mailers to second home owners on the South Shore of Lake Tahoe, soliciting interest in long-term or seasonal renting of their homes and find that a public benefit is derived from supporting this effort which serves to address the lack of available housing; and
2) Direct the Chief Administrative Officer, or designee, to return to the Board with a funding agreement for consideration. (Est. Time: 10 Min.)

FUNDING: Community Funding.

Public Comment: K. Payne, T. Kayes, L. Knutson

A motion was made by Supervisor Frentzen, seconded by Supervisor Veerkamp to Continue this matter to April 23, 2019 in order for staff to provide additional information to the Board and allow further discussion of this item by the Board.

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