



County of El Dorado

Board of Supervisors
330 Fair Lane, Building A
Placerville, California
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Minutes - Final

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, December 8, 2015

9:00 AM Pioneer Park Community Center 6740 Fair Play Road,
Somerset, CA

This meeting was held at Pioneer Park Community Center located at 6740 Fair Play Road, Somerset, CA

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 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.

9:00 A.M. - CALLED TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Novasel gave the Invocation.

Supervisor Veerkamp led the Pledge of Allegiance to the Flag.

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

ADOPTION OF THE AGENDA AND APPROVAL OF THE CONSENT CALENDAR

Public comment: B. Carlson, S. Taylor, K. Payne

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

Pull items 5, 6 and 7 for discussion.

Continue item 16 to December 15, 2015.

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

15-1475 ADOPTION OF THE AGENDA AND APPROVAL OF THE CONSENT CALENDAR (See Attachment)

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: M. Tran, W. Lowrey, S. Taylor

15-1476 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. 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 Ranalli commented that communities are coming together for the holidays and he attended Christmas tree lighting in Cool. Commented that District specific Board meetings are important.

Supervisor Novasel was pleased to be in attendance today. Commented that Santa arrived at an event via helicopter in South Lake Tahoe. She attended the CSAC conference in Monterey last week. Plans to attend a collaborative leadership meeting in South Lake Tahoe next week to discuss South Shore related issues.

Supervisor Frentzen commented that Assemblyman Jim Frazier visited the District recently. LAFCO meeting last Wednesday and that she is serving on the budget ad hoc committee.

Supervisor Mikulaco reflected that he too attended the CSAC conference last week.

Supervisor Veerkamp also commented on the attendance of Assemblyman Jim Frazier who was in the county to discuss transportation issues. The Supervisor attended a California School Board Association conference last week where governance issues were discussed. The City of Placerville also had a great holiday parade.

CAO UPDATE

No Update.

CONSENT CALENDAR

- 1. **15-1305** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of November 17, 2015.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **15-1046** Assessor recommending the Board consider the following:
 - 1) Approve the Assessor's continued participation in the Electronic Standard Data Report and e-Forms Program at a cost of \$2,900 per year;
 - 2) Approve the Standard Data Record Agreement dated March 1, 2013 and its amendments 1 through 6;
 - 3) Ratify the Assessor's signature on the original agreement and amendments 1 through 5; and
 - 4) Authorize the Assessor to execute amendment 6 and future amendments and related documents subject to review and approval by County Counsel.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 3. **15-1400** Auditor-Controller recommending the Board consider the following:
 - 1) Receive and file the attached annual reports as required by SB165 for Community Facilities District 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2000-1 (CFD 2000-1 South Lake Tahoe Recreation Facilities JPA), Community Facilities District 2001-1 (CFD 2001-1 Promontory), Community Facilities District 2005-1 (CFD 2005-1 Blackstone), and Community Facilities District 2005-2 (CFD 2005-2 Laurel Oaks); and
 - 2) Adopt and authorize the Chair to sign Resolution **205-2015** accepting said reports.

This matter was Approved and Resolution 205-2015 was Adopted upon Approval of the Consent Calendar.

- 4. **15-1380** 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.

This matter was Approved on the Consent Calendar.

- 5. **14-1649** Chief Administrative Officer and County Counsel recommending that Resolution 180-2013 and Resolution 235-2014 be retroactively amended to correct an administrative error in the language appearing to give credit to Appointed Department Heads for service earned in another city or county.

FUNDING: NA

Public Comment: K. Payne

A motion was made by Supervisor Frentzen, seconded by Supervisor Ranalli to Approve this matter and direct the Clerk of the Board to assign a new Resolution number to the amended Resolutions.

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

- 6. **15-1320** Chief Administrative Office and Clerk of the Board recommending the Board consider Final Passage (Second Reading) of Ordinance **5029** amending Title 2, Chapter 2.03, Section 2.03.020 of the El Dorado County Ordinance Code pertaining to the Board of Supervisors regular meeting schedule. (Cont. 11/10/15, Item 30)

FUNDING: N/A

Public Comment (Items 6 & 7): K. Payne, B. Carlson, L. Parlin, S. Taylor

Items 6 and 7 were called together.

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to Adopt Ordinance 5029 and Resolution 203-2015.

Yes: 4 - Mikulaco, Veerkamp , Ranalli and Novasel

Noes: 1 - Frentzen

- 7. **15-1399** Clerk of the Board recommending the Board adopt and authorize the Chair to sign Resolution **203-2015** establishing the 2016 Board of Supervisors regular meeting calendar.

Public Comment (Items 6 & 7): K. Payne, B. Carlson, L. Parlin, S. Taylor

Items 6 and 7 were called together.

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to Adopt Ordinance 5029 and Resolution 203-2015.

Yes: 4 - Mikulaco, Veerkamp , Ranalli and Novasel

Noes: 1 - Frentzen

8. **15-1413** Settlement of the Cross-Complaint in the matter of Bruce & Claudia Wade vs. County of El Dorado & American River Conservancy, et al; El Dorado County Superior Court Case PC20120264. County Counsel and Risk Management recommending the Board execute the Settlement Agreement and Release and authorize the Chair to execute the documents.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

9. **15-1393** Elections Department recommending the Board declare the results of the official canvass of the November 3, 2015 Consolidated Districts Election conducted by the Recorder-Clerk-Registrar of Voters.

This matter was Approved on the Consent Calendar.

10. **13-1445** Supervisor Mikulaco recommending the Board consider the following pertaining to the 52nd Annual Santa Run fireworks display to be held at the El Dorado Hills Town Center on Saturday, December 19, 2015:
1) Adopt and authorize the Chair to sign Resolution **206-2015** permitting Pyro Engineering, Inc. dba Bay Fireworks 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 the Chair to sign a letter to the Fire Marshal approving same.

This matter was Approved and Resolution 206-2015 was Adopted upon Approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 11. 15-1012** Health and Human Services Agency, Community Services Division, recommending the Board consider the following:
- 1) Accept a grant award in the amount of \$232 from the El Dorado Community Foundation, Friends of Seniors fund; and
 - 2) Authorize use of the grant award for the purchase of a public address system with a microphone to be used by the El Dorado Hills Senior Day Care Center.

FUNDING: Grant from El Dorado Community Foundation - Friends of Seniors Fund.

This matter was Approved on the Consent Calendar.

- 12. 15-1176** Library Department recommending the Board receive and file the following reports for special taxes for County Service Area 10, specific to County of El Dorado library services for Fiscal Year 2014/15:
- 1) Reports pursuant to Government Code § 50075.1:
 - a) That specifies the authority under which the County may levy a special tax for library services, § 50075.1;
 - b) That defines the purposes for which this tax may be used and § 50075.1; and
 - c) That identifies the special tax revenue fund in the County of El Dorado; and
 - 2) Attachments to those reports demonstrating the amount of funds collected and expended pursuant to Government Code § 50075.3.

FUNDING: Benefit Assessment and Special Taxes.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 13. 15-1335** Chief Administrative Office, Procurement and Contracts on behalf of Community Development Agency - Transportation Division - Fleet Unit, recommending the Board consider the following:
- 1) Dispense with the formal bidding process in accordance with Purchasing Ordinance 3.12.16, Section D;
 - 2) Approve and authorize the Purchasing Agent to utilize the State of California's competitively bid Contract 1-15-23-14B for the acquisition of fourteen (14) Ford Police Interceptor Utility SUV vehicles; for the Community Development Agency-Transportation Division-Fleet Services; and
 - 3) Approve and authorize the Purchasing Agent to sign purchase order PO201608008 to the awarded State vendor, Folsom Lake Ford of Folsom, CA. in the amount of \$428,232 plus applicable taxes and fees (estimated at \$32,500) for a one time purchase following Board approval.

FUNDING: Fleet Internal Service Fund.

This matter was Approved on the Consent Calendar.

- 14. 13-0599** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Lorang Brothers Construction, Inc. for the Pleasant Valley Road at Oak Hill Road Intersection Improvements Project, Contract PW 10-30506, CIP 73358, P&C 065-C1475; and
 - 2) Approve and 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: This Project is funded by Highway Safety Improvement Program (72%), Traffic Impact Mitigation Fees (18%), and Regional Surface Transportation Program (10%). (Federal Funds)

This matter was Approved on the Consent Calendar.

15. 15-1271

Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Class II Bikeway - Green Valley Road from Loch Way to Signalized Entrance to Pleasant Grove Middle School Project, Contract PW 15-31099, CIP 72309, P&C 039-C1699:

- 1) Approve plans and contract documents and authorize the Chair to sign the plans; and
- 2) Authorize advertisement for construction bids.

FUNDING: Bicycle Transportation Account (71%), Regional Surface Transportation Program Exchange Funds (22%), Transportation Development Act (7%). (No Federal Funds)

This matter was Approved on the Consent Calendar.

16. 15-0217

Community Development Agency, Transportation Division, recommending the Board consider the following actions pertaining to the U.S. 50 / Camino Area Parallel Capacity / Safety Study Project, CIP 71319:

- 1) Approve an amendment to the 2015 Community Development Agency, Capital Improvement Program, increasing funding, advancing delivery, and amending the project title and description;
- 2) Approve and authorize the Community Development Agency, Transportation Division Director, to sign a Memorandum of Understanding with Caltrans to state the respective intentions of both Caltrans and County of El Dorado related to proposed improvements to U.S. Highway 50 and adjacent County roadways in the Camino area; and
- 3) Approve and authorize the Chair to sign the Cooperative Agreement between Caltrans and County of El Dorado defining the roles, responsibilities, and cost contribution of each agency related to the Project Approval and Environmental Document phase of the project.

FUNDING: County funding for the Project Approval and Environmental Document phase is Regional Surface Transportation Program Funds (\$180,000, approximately 7%). Funding provided by Caltrans is State Highway Operations and Protection Program Funds (\$2,210,000, approximately 93%). (No County-contributed Federal Funds are associated with this Cooperative Agreement)

This matter was Continued to December 15, 2015.

17. 15-1345

Community Development Agency, Administration and Finance Division, recommending the Board receive and file the Annual Report of Special Taxes for County Service Areas No. 3 and No. 9 Zones of Benefit for Fiscal Year 2014/15.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 18. 15-0267** Probation Department recommending the Board consider the following:
- 1) Sign and adopt Memorandum of Understanding 259-M1610 between the El Dorado County Probation Department and Superior Court of California regarding Collaborative Justice Courts Substance Abuse Focus Grant Program, Fiscal Year 2015/16 State Agreement 1031075; and
 - 2) Sign a Budget Transfer in the amount of \$16,745 to increase revenue and appropriations in the Probation Department Fiscal Year 2015/16 Budget with reimbursement from the Superior Court of California, Collaborative Justice Courts Substance Abuse Focus Grant Program.

FUNDING: State Funding - Judicial Council of California.

This matter was Approved on the Consent Calendar.

- 19. 15-1338** Public Defender's Office recommending the Board authorize the Chair to sign Lease Agreement 219-L1611 with Raymond C. and Patricia J. Presgrave in the amount of \$5,340 per month for a one year term commencing January 1, 2016 and ending on December 31, 2016 for the Public Defender's Office located at 630 Main Street in Placerville.

FUNDING: Public Defender's Office is a general fund department. Rent for the period of January 1, 2016 through June 30, 2016 was budgeted for at a higher rate based on an anticipated move. There will not be an increase in the Department's net county cost due to this increase in rent.

This matter was Approved on the Consent Calendar.

- 20. 15-1308** Chief Administrative Office, Procurement and Contracts on behalf of the Sheriff's Office, recommending the Board consider the following:
- 1) Award Request For Proposal 16-055-005 for the purchase of In-Car Video for Patrol Vehicles to the successful proposer, Watch Guard Video of Allen, TX;
 - 2) Authorize the Sheriff's Office to negotiate an Agreement for the purchase and installation of In-Car Video for Patrol Vehicles with Watch Guard Video in the amount not to exceed \$500,000;
 - 3) Authorize the Purchasing Agent to execute said agreement for In-Car Video for Patrol Vehicles, contingent upon approval by County Counsel and Risk Management; and
 - 4) Authorize the Purchasing Agent to increase the Contract amount and sign any Amendments to the agreement as long as funding is available. (Cont. 11/17/15, Item 8)

FUNDING: General Fund and Supplemental Law Enforcement Services account, COPS.

This matter was Approved on the Consent Calendar.

- 21. 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. 11/17/15, Item 37)

This matter was Approved on the Consent Calendar.

- 22. 06-0733** Sheriff's Office recommending the Board approve and authorize the Chair to:
- 1) Sign Amendment III to Tower Lease Agreement 356-O0010 with Global Tower Assets III, LLC, to amend Section 7. Utilities, and Section 25. Notices/Payment, amending the contract to include a fixed rate for monthly utility charges and changing the company name; and
 - 2) Continue the perpetual agreement with Global Tower Assets III, LLC with an annual rental increase of 3% and a fixed utility charge of \$95 which results in a total annual cost of \$6,850 from \$6,695 (prior year), for the term November 1, 2015 through October 31, 2016.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 23. 15-1405** Sheriff's Office recommending the Board approve and authorize the Chair to sign and execute Reimbursement Agreement 215-F1611 between the County and City of South Lake Tahoe for reimbursement of funds in the amount of \$17,909 for the grant performance period that ends May 31, 2016 from the Fiscal Year 2014 Homeland Security Grant for the purchase and installation of a video surveillance system for the South Lake Tahoe Police Department's Property and Evidence Room.

FUNDING: Fiscal Year 2014 Homeland Security Grant.

This matter was Approved on the Consent Calendar.

- 24. 15-1406** Sheriff's Office recommending the Board approve and authorize the Chair to sign a Cooperative Service Agreement with the El Dorado County Fire Protection District for medical support for the El Dorado Sheriff's Office (EDSO) Special Weapons And Tactics (SWAT) Team by providing Tactical Medics (TMs) who are paramedics specially trained and qualified to provide medical support to the EDSO SWAT Team during call-outs/missions and training. This Cooperative Service Agreement will become effective upon full execution by the parties hereto, and will remain in effect for two (2) years after execution, and renewed annually at the election of the parties. The cost for Fire Protection District TMs is up to \$27.87 per regular hour and \$41.81 per overtime hour. The total cost of this Agreement is estimated to be \$15,000.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

9:00 A.M. - TIME ALLOCATION

- 25. 15-1407** Supervisor Frentzen recommending the Board receive and file presentations from:
- 1) El Dorado County Fire Safe Council;
 - 2) Logtown Fire Safe Council;
 - 3) Sandridge Fire Safe Council;
 - 4) Grizzly Flats Fire Safe Council; and
 - 5) Pioneer Fire Protection District.

Received and Filed.

- 26. 15-1408** Supervisor Frentzen recommending the Board receive and file a presentation from the Grizzly Flats Community Services District.

Received and Filed.

- 27. 15-1414** Supervisor Frentzen recommending the Board receive and file a presentation from Fairplay/El Dorado Winery Associations.

Received and Filed.

11:00 A.M. - TIME ALLOCATION

- 28. 15-1415** Supervisor Frentzen recommending the Board receive and file a presentation from Pioneer Union School District.

Received and Filed.

- 29. 15-1416** Supervisor Frentzen recommending the Board receive and file a presentation from Michael Murdock and to recognize and congratulate him for achieving the rank of Eagle Scout with Boy Scouts of America, Troop 858, Pleasant Valley, California.

Received and Filed.

- 30. 15-1417** Supervisor Frentzen recommending the Board receive and file a presentation from Ponderosa High School students that participated in the Forestry Challenge 2015.

Received and Filed.

DEPARTMENT MATTERS (Agenda items in this category may be called at anytime)

GENERAL GOVERNMENT - DEPARTMENT MATTERS

31. 15-1022

Chief Administrative Office recommending the Board consider the following:

- 1) Receive a report as to the status of the transfer of \$169,859 from the Diamond Springs/El Dorado Fire District's Development Impact Fee account to the District's operating account to partially reimburse the District for the purchase of a new engine in January 2015 as directed by the Board on September 1, 2015 and reaffirmed and ordered by the Board on November 17, 2015; and
- 2) If the transfer as ordered has not been made, authorize the initiation of litigation to compel the transfer.

FUNDING: Diamond Springs/El Dorado Fire District Development Impact Mitigation Fees.

Public Comment: B. Carlson, L. Parlin

Acting Assistant Chief Administrative Officer, Michael Ciccozzi, stated that as of 7:50 this morning, there was no evidence of the transfer of funds.

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to authorize the initiation of litigation.

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

32. 15-1420

Chief Administrative Office and Community Development Agency recommending the Board adopt and authorize the Chair to sign Resolution **208-2015** to create an interim Traffic Impact Mitigation (TIM) Fee refund policy, prior to the adoption and implementation of an updated TIM fee program and rate schedule.

FUNDING: TIM Fees and Road Fund.

Public Comment: K. Payne

A motion was made by Supervisor Mikulaco, seconded by Supervisor Ranalli to implement a TIM Fee interim refund policy for all development applications.

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

ADJOURNED AT 4:04 P.M.