



County of El Dorado

MEETING AGENDA

Board of Supervisors

Board of Supervisors
Department
330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

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

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

Tuesday, August 8, 2017

9:00 AM

330 Fair Lane, Placerville, CA

ADDENDUM

Item 33 is hereby added to Closed Session.

Vision Statement

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

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>

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.

Public comment will be received on each agenda item listed under Department Matters or Time Allocation as called by the Chair. Where applicable, the principal party on each side of an issue 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 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. - CALL TO ORDER**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG****ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR**

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

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.

RECESS TO CLOSED SESSION

CONSENT CALENDAR

1. [17-0870](#) Clerk of the Board recommending the Board approve the Minutes from the regular meeting of July 25, 2017.

GENERAL GOVERNMENT - CONSENT ITEMS

2. [17-0827](#) Auditor-Controller recommending the Board authorize:
 - 1) Auditor-Controller to negotiate and execute all necessary contracts related to the proposed community facilities district formation and financing requested by Lennar Winncrest, LLC (the "Developer") for certain subdivisions herein called "Bass Lake Hills area" after each agreement has been approved by County Counsel and Risk Management; specifically, Jones Hall (Bond and Disclosure Counsel), Stifel, Nicolaus & Company (Underwriter), Seevers Jordan Ziegenmeyer (Appraiser), and NBS Government Finance Group (NBS/GFG) (Special Tax Consultant); and other consultants, as needed;
 - 2) Authorize the Auditor-Controller to execute the Deposit and Reimbursement Agreement between El Dorado County and the Developer upon final approval by County Counsel and Risk Management; and
 - 3) Authorize the Auditor-Controller to work with the Assessment & Community Facilities District Screening Committee members and contracted consultants to consider the Developer's request to begin the proceedings of forming and financing a new Mello Roos District.
3. [15-0449](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board approve and authorize the Purchasing Agent to sign Amendment I to Agreement 452-S1511 with Viking Shred, LLC, increasing the contract amount by \$50,000 for a revised amount not to exceed of \$150,000 with no change to the rates or the original term of May 1, 2015 through April 30, 2018, to provide confidential document and electronic waste destruction services on an "as requested" basis to County departments located on the western slope.

FUNDING: Various - County-wide Contract.

4. [17-0675](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board approve and authorize the Purchasing Agent to sign Amendment II to Agreement 146-S1510 with Shred-It USA, LLC, extending the term of the Agreement to April 30, 2018 with no change to the rates or the not to exceed amount of \$50,000 for the period of September 1, 2014 through April 30, 2018 to provide confidential document destruction services on an "as-requested" basis to County departments located on the eastern slope of El Dorado County. Board of Supervisors approval of Amendment II is required because the resulting term of the Agreement will exceed three (3) years.

FUNDING: Various - County-wide Contract.

5. [17-0789](#) 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.

6. [17-0862](#) Chief Administrative Office recommending the Board approve revisions to Board of Supervisors Policy F-4, Lowering of Flags, to clarify the situations and procedure for lowering the County and United States flag, and to update the format of the policy.

FUNDING: N/A

7. [17-0861](#) Chief Administrative Office recommending the Board approve a budget transfer reducing General Fund Contingency by \$160,000 and increase appropriations in the Superior Court Maintenance of Effort budget unit for expenses related to indigent defense services and ancillary costs for Fiscal Year 2016/17. (4/5 vote required)

FUNDING: General Fund Contingency.

8. [14-0986](#) Supervisor Novasel recommending the Board:
1) Determine that a public benefit is derived from the 2017 Lake Tahoe Environmental Summit which takes place on August 22, 2017; and
2) Adopt and authorize the Chair to sign Resolution **120-2017** authorizing a contribution in the amount of \$1,000 be made payable to the Tahoe Fund to contribute towards the costs of the event.

FUNDING: Transient Occupancy Tax - General Fund.

9. [17-0868](#) Supervisor Novasel recommending the Board approve holding the regular meeting of the Board of Supervisors on Tuesday, October 17, 2017 at the South Lake Tahoe City Council Chambers located at 1901 Airport Road in South Lake Tahoe.

10. [16-0305](#) Supervisor Ranalli 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. 7/25/17, Item 11)

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

11. [14-0332](#) Health and Human Services Agency recommending the Board:
- 1) Approve and authorize the Chair to sign funding Agreement 036-S1810 (Agreement) with Sacramento Metropolitan Fire District, serving as the fiscal intermediary between the County of El Dorado and the State, for supplemental Medi-Cal reimbursement from the State for ground emergency medical (ambulance) transport, with an effective date retroactive to July 1, 2017. This Agreement covers the period July 1, 2017 through June 30, 2020, and includes administrative costs based on 1% of the amount reimbursed by the State; and
 - 2) Authorize the Chair to execute further Amendments, relating to Agreement 036-S1810 that do not increase the administrative cost percentage or change the term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Medicaid Federal Financial Participation.

12. [17-0618](#) Health and Human Services Agency (HHSA) recommending the Board:
- 1) Approve and authorize the Chair to sign Agreement for Services 095-S1811 with El Dorado County Office of Education for the provision of Child Abuse Prevention Council Activities for a three-year term commencing upon execution, with a maximum contractual obligation of \$405,000;
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 095-S1811, 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; and
 - 3) Approve and authorize the HHSA Director to sign a termination letter, pursuant to Article XXVI, "Default, Termination, and Cancellation," Section D, "Termination or Cancellation without Cause" in Agreement for Services 027-S1511 with El Dorado County Office of Education, to be effective upon execution of this Agreement for Services 095-S1811 with El Dorado County Office of Education.

FUNDING: Federal and State Funding.

13. [15-1386](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and authorize the Chair and the HHS Director to sign Participation Agreement 100-M1810 with California Mental Health Services Authority (CalMHSA) Joint Powers Authority (JPA), to participate in the "CalMHSA State Hospital Program" with a retroactive effective date of July 1, 2016, with a term through June 30, 2019, and an administrative fee of \$1,402/per bed/fiscal year, thereby authorizing CalMHSA to negotiate and contract with the State for State hospital beds on behalf of the County;
 - 2) Approve and authorize the Chair to sign Amendment 1 to MOU 265-M1610 with CalMHSA and California Department of State Hospitals, for the provision of State hospital beds on an "as requested" basis, extending the existing MOU term by three (3) years to June 30, 2019, with a retroactive effective date of July 1, 2016, with a variable maximum obligation dependent on usage of State hospital beds;
 - 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to MOU 265-M1610 A1 and Participation Agreement 100-M1810, including amendments which do not increase the maximum dollar amount or term of the MOUs, and contingent upon approval by County Counsel and Risk Management; and
 - 4) Authorize the HHS Director or Assistant Director of Administration and Finance to execute programmatic documents as needed.

FUNDING: State Funding, Mental Health Realignment.

14. [17-0820](#) Health and Human Services Agency recommending the Board approve and authorize the Chair to sign a Proclamation recognizing August 2017 as "Breastfeeding Awareness Month" in El Dorado County.

FUNDING: N/A

LAND USE AND DEVELOPMENT - CONSENT ITEMS

15. [13-0791](#) Community Development Services, Administration and Finance Division, recommending the Board approve the following:
- 1) Authorize the County Purchasing Agent to sign retroactive Agreement for Services 228-S1411 with Barnes & Thornburg LLP, for Storm Water Pollution Prevention Regulatory Compliance Services for the Placerville and Georgetown Airports, for a not-to-exceed amount of \$29,500, for the period of July 1, 2013, to July 31, 2017; and
 - 2) Authorize the County Purchasing Agent to sign Agreement for Services 066-S1810 with Barnes & Thornburg LLP, for Storm Water Pollution Prevention Regulatory Compliance Services for the Placerville and Georgetown Airports, for a not-to-exceed amount of \$30,000, with an effective date retroactive to July 1, 2017, for contract period through July 31, 2020.

FUNDING: Airport Enterprise Funds. (100% Local)

16. [17-0300](#) Community Development Services, Department of Transportation, recommending the Board consider the following regarding emergency road repair projects in the Tahoe Basin, for the 2017 Lake Tahoe Blvd-Road & Shoulder Damage and the 2017 South Upper Truckee Washout Project, and the 2017 Elks Club Drive Project:
- 1) Delegate to the Chief Administrative Officer, in conjunction with the Director of Transportation or designee, the ability to:
 - a) Approve and adopt the Plans and Contract Documents and sign the Plans, subject to County Counsel approval;
 - b) Authorize advertisement for bids;
 - c) Award the Construction Contract to the lowest responsive, responsible bidder, provided that if the bid is not to be awarded to the lowest bidder, the Director of Transportation must come back to the Board for a determination of responsiveness and/or responsibility;
 - d) Approve and sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management, and subject to the Board ratifying any Contracts when it is asked to review the Emergency Proclamation every fourteen days; and
 - e) Authorize the Director of Transportation 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;
 - 2) Authorize a 10-day advertisement for construction bids; and
 - 3) Pursuant to Public Contract Code Section 22050, find that the Projects will not permit a delay resulting from a typical competitive solicitation for bids, and that the implementation of these Projects is necessary to respond to the January 2017 storm damage emergency. (4/5 vote required)

FUNDING: Local discretionary funding initially (100%), with Transportation staff working with FHWA/Caltrans District 3 Local Assistance to obtain emergency reimbursement.

17. [14-1169](#) Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 111-S1511 with North State Resources, Inc. extending the term for one additional year expiring on September 22, 2018 and updating administrative details, to perform on-call environmental review services in support of various Capital Improvement Program projects, including those due to the storms of 2017, with no increase in rates or the not to exceed amount of \$147,000.

FUNDING: Various Capital Improvement Program Funding Sources (including Federal, State, and Local funds).

18. [16-1240](#) Community Development Services, Department of Transportation, recommending the Board receive and file a report on real property acquisitions executed by the Community Development Agency Director, under the authority of Ordinance 5037, for the period of October 26, 2016 through May 17, 2017.

FUNDING: These acquisitions were acquired using various funding sources as detailed in the Department of Transportation's Capital Improvement Program.

LAW AND JUSTICE - CONSENT ITEMS

19. [17-0724](#) District Attorney recommending the Board approve and authorize the use of Department of Justice Asset Forfeiture funds in Fiscal Year 2017/18 for the following purchases:
- 1) Computer Equipment in the amount of \$30,000;
 - 2) Software Development Services in the amount of \$30,000; and
 - 3) Fleet vehicle in the amount of \$25,000 and approve and authorize the use of Fleet funds for this transaction and add the vehicle to the Fleet Fixed Asset list.

FUNDING: Department of Justice Asset Forfeiture Funds.

20. [17-0071](#) El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 7/25/17, Item 17)

FUNDING: N/A

21. [17-0184](#) El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms, starting on February 6th, throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 7/25/17, Item 18)

FUNDING: N/A

22. [17-0649](#) Sheriff's Office recommending the Board approve and authorize the Chair to sign a budget transfer increasing use of fund balance and operating transfers out in the Trial Court Security special revenue fund by \$185,000 each, and increasing operating transfers in and appropriations for salaries in the Sheriff's Office budget by \$185,000 each in order to transfer additional Trial Court Security revenue to the Sheriff's Office operating budget to cover unanticipated 4th Quarter costs in Fiscal Year 2016/17. (4/5 vote required)

FUNDING: Trial Court Security Special Revenue Fund.

END CONSENT CALENDAR

RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS**DEPARTMENT MATTERS (Items in this category may be called at any time)**

23. [15-0931](#) Community Development Services, Department of Transportation, recommending the Board consider the following:
- 1) Consider the Introduction (First Reading) of Ordinance **5056**, the County of El Dorado Delegating to the Director of Transportation Authority to Acquire Real Property of \$25,000 or less; and
 - 2) Waive reading of the full ordinance and read by title only and continue this matter to the August 15, 2017 meeting for final passage (Second Reading). (Est. Time: 5 Min.)

FUNDING: Various funding sources as detailed in the Community Development Services, Department of Transportation's Capital Improvement Program. (Federal Funds)

10:30 A.M. - TIME ALLOCATION

24. [17-0767](#) HEARING - Chief Administrative Office recommending the Board consider the following:
- 1) Receive and file the Initial Draft Response to the 2016-2017 Grand Jury Final Reports 16-002: South Lake Tahoe Juvenile Treatment Center; 16-004: Red Hawk Tribe Board of Supervisors MOU; 16-005: Workers' Compensation Administration Program; and 16-009: FENIX Project, Migration off the Main Frame (Attachment 2A);
 - 2) Provide direction to staff regarding any changes to include with the Final Response for these four reports; and
 - 3) Approve the Final Response for Reports 16-001 and 16-013 regarding Jail Inspections, Initial Draft Responses approved July 25, 2017 (Attachment 2B). (Est. Time: 20 Min.)

FUNDING: N/A

11:00 A.M. - TIME ALLOCATION

25. [17-0699](#) HEARING - Community Development Services, Planning and Building Department, recommending the Board conduct a public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act and the Internal Revenue Code of 1986, as amended, to adopt and authorize the Chair to sign Resolution **119-2017**, approving the issuance of bonds by the California Municipal Finance Authority, in the aggregated principal amount not to exceed \$37,000,000, to finance a project for the benefit of Retirement Housing Foundation, and approving the Tax Equity and Fiscal Responsibility Act hearing related to the issuance of the bonds, which the County will have no financial, legal, moral obligation, liability, or responsibility for repayment of the revenue Bonds. (Est. Time: 5 Min.)

FUNDING: California Municipal Finance Authority Revenue Bonds (Retirement Housing Foundation Obligated Group) Series 2017

26. [17-0739](#) Child Support Services recommending the Board receive and file a presentation on Child Support Awareness and approve and authorize the Chair to sign a Proclamation designating August 2017 as Child Support Awareness Month in El Dorado County. (Est. Time: 10 Min.)

FUNDING: No Net County Cost associated with this request.

1:00 P.M. - TIME ALLOCATION

27. [17-0725](#) Community Development Services, Department of Transportation, recommending the Board take the following actions related to the Mosquito Road Bridge at South Fork American River Project, Capital Improvement Program Project 77126:
- 1) Certify the Final Environmental Impact Report pursuant to the California Environmental Quality Act, consisting of the Draft Environmental Impact Report dated October 2016 and the Final Environmental Impact Report dated June 2017;
 - 2) Adopt the Mitigation Monitoring and Reporting Plan;
 - 3) Adopt the Findings of Fact;
 - 4) Approve the Project as described in the Final Environmental Impact Report; and
 - 5) Authorize Department of Transportation staff to proceed with filing the Notice of Determination, final design, rights-of-way acquisition, permitting, and other activities for Project construction. (Est. Time: 1 Hr.)

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

ITEMS TO/FROM SUPERVISORS**CAO UPDATE****ADJOURNMENT**

CLOSED SESSION

28. [16-0118](#) **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 PC20160024. (Est. Time: 15 Min.)
29. [17-0647](#) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee.
Employee Organization: El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; El Dorado County Probation Officer's Association; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 30 Min.)
30. [17-0679](#) **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.)
31. [17-0863](#) **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of Andrea Porter v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., Claims ELAG-548671, ELAG-548688. (Est. Time: 10 Min.)
32. [17-0869](#) **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.)

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.

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

33. [16-0839](#) **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Alliance for Responsible Planning, A California Non-Profit Public Benefit Corporation v. El Dorado County Board of Supervisors, County of El Dorado, Sue Taylor, and Save Our County, Case No. PC20160346
Number of potential cases: (1). (Est. Time: 10 Min.)