



County of El Dorado

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

Minutes - Draft Board of Supervisors

Sue Novasel, Chair, District V
Brian K. Veerkamp, First Vice Chair, District III
John Hidahl, Second Vice Chair, District I
Shiva Frentzen, District II
Lori Parlin, District IV

Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, October 15, 2019

9:00 AM

330 Fair Lane, Placerville, CA

Vision Statement

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

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

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

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

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

PROTOCOLS FOR PUBLIC COMMENT

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

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

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

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

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

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

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

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

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

9:00 A.M. - CALLED TO ORDER

Present: 4 - Supervisor Frentzen, Supervisor Novasel, Supervisor Hidahl and Supervisor Parlin

Absent: 1 - Supervisor Veerkamp

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

Emergency Item Added

There was a request to add the following matter as item 19 to the October 15, 2019 Agenda - Supervisor Novasel recommending the Board receive a presentation provided by Laurence Crabtree, Forest Supervisor, Eldorado National Forest, on the Caples Fires occurring in El Dorado County.

The Board has authority to add the matter pursuant to Government Code Section 54954.2(B)(2), which allows the Board to add an item to the posted Agenda upon a determination by 2/3 vote of the members present that there has been a need to take immediate action and the need for the action came to the attention of the local agency subsequent to the Agenda being posted.

Board vote to add Emergency Item (item 19) to the Agenda

A motion was made by Supervisor Hidahl, seconded by Supervisor Frentzen to add item 19 to the October 15, 2019 Agenda.

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: S. Mueller, M. Lane, J. Gainsborough

A motion was made by Supervisor Frenzen, seconded by Supervisor Hidahl to Adopt the Agenda and Approve the Consent Calendar.

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

19-1579 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 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: T. Kayes, M. Lane, D. Schaffer, L. Knutson, J. Gainsborough, K. Greenwood

19-1580 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. **19-1508** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of October 8, 2019.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **16-0305** Chief Administrative Office recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 10/8/19, Item 2)

This matter was Approved on the Consent Calendar.

- 3. **19-1458** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$61,280.88 to the Garden Valley Fire Protection District from its Development Impact Mitigation Fee Account.

FUNDING: Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

- 4. 19-1308** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Make findings that it is more economical and feasible to contract out in accordance with Chapter 3.13, Section 3.13.030 of the County Contracting Out Ordinance to contract out for janitorial services for a facility outside the main government center locations;
 - 2) Authorize the Purchasing Agent to sign Agreement for Services 4292 with Pro-Line Cleaning Services, Inc., to provide janitorial services for the Public Safety Facility with a term of three years and a not-to-exceed amount of \$297,860;
 - 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 4292, 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
 - 4) Approve the attached budget transfer decreasing appropriations in the Sheriff's budget and increasing appropriations in Facilities in the amount of \$75,000 in Fiscal Year 2019-20 for costs related to the monthly custodial and potential as-needed custodial services. (4/5 vote required to approve budget amendment) (Cont. 10/8/19, Item 5)

FUNDING: General Fund.

Staff requesting this item be Continued to November 5, 2019.

This matter was Continued to November 5, 2019 upon Approval of the Consent Calendar.

- 5. 19-1477** Chief Administrative Office, Facilities Division, recommending the Board consider the following:
- 1) Authorize the Purchasing Agent to sign Facility Use Agreement 4373 between the County and the Marine Toys for Tots Foundation for use of the space at 299 Fair Lane, Placerville for a term between October 19, 2019 through December 31, 2019 for the purpose of storing and distributing donated Christmas gift items to less fortunate children throughout the community; and
 - 2) Make a determination that use of the County's property as described above provides a public benefit.

FUNDING: NA

This matter was Approved on the Consent Calendar.

- 6. 19-1472** Information Technologies Department recommending the Board:
- 1) Continue to waive formal bid requirements in accordance with Purchasing Ordinance 3.12.160, Exemptions from Competitive Bidding Process, section D; and
 - 2) Authorize the continued use of State of California Department of General Services (DGS) 1-17-70-01A, Supplement 6, for the acquisition of desktop computers and related equipment; and
 - 3) Authorize the Purchasing Agent to increase the countywide contract 2096 (blanket purchase order BP20180212) with Granite Financial Solutions, Inc. by \$100,000 for a total not-to-exceed amount of \$195,000 with no change in term through June 30, 2020.

FUNDING: Countywide - varies by department.

This matter was Approved on the Consent Calendar.

- 7. 19-1441** Recorder-Clerk recommending the Board authorize the Chair to sign perpetual Memorandum of Understanding 3376 (384-M0610) Amendment XIV with the California Department of Justice in the amount of \$1,195 for Fiscal Year 2019-2020 for continued Electronic Recording Delivery System (ERDS) oversight of regulations, which allows the Recorder-Clerk continued secure use of electronic recording.

FUNDING: ERDS Special Revenue Fund.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

8. **19-1393** Department of Transportation recommending the Board consider the following:
- 1) Accept the subdivision improvements for Promontory Village Center Lot 8, TM 13-1513, as complete; and
 - 2) Hold Performance Bond with Rider SUR23100054 in the amount of \$662,628.54 which is to be released after one (1) year if no claims are made; this amount guarantees against any defective work, labor done, or defective materials furnished; and
 - 3) Hold Laborers & Materialmens Bond SUR23100054 in the amount of \$3,813,974.84 for six (6) months to guarantee payments to persons furnishing labor, materials, or equipment; and
 - 4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

9. **19-1398** Department of Transportation recommending the Board approve and authorize the Chair to sign the Third Amendment to Agreement for Services 323-S1711 with Black Fox Timber Management, Inc. extending the term of the Agreement to June 30, 2020, with no changes to the not-to-exceed amount or hourly billing rates.

FUNDING: California Disaster Assistance Act Funds (75% of eligible costs, plus 10% of the 75% for indirect and administrative costs - State), CAL FIRE Grant (25% of allowable costs with a maximum of \$306,175 - State), and the remaining is General Fund (Local).

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

10. 19-1454

District Attorney recommending the Board consider the following:

- 1) Approve and authorize the acceptance of a grant award in the amount of \$272,667 from the California's Governor's Office of Emergency Services for the Sexual Assault Law Enforcement Specialized Units Program for the period of October 1, 2019 - September 30, 2020;
- 2) Approve and authorize the Chair to sign the Certification of Assurance of Compliance Violence Against Women Act;
- 3) Authorize the District Attorney to execute the Grant Award Agreement and required documents, including any extensions or amendments thereof which would not increase net county cost; and
- 4) Approve and authorize the Purchasing Agent to execute Amendment I to Agreement 3417 with The Center for Violence-Free Relationships in an amount not to exceed \$111,436 for the period covering October 25, 2018 through September 30, 2020, to provide one full-time Victim Advocate to the grant program.

FUNDING: California Governor's Office of Emergency Services Violence Against Women Act Services*Training*Officers*Prosecutors Formula Grant Program Funds.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 11. 19-1479** Chief Administrative Office, Parks Division, recommending the following regarding the Latrobe Road Rail System Washout Repair Project:
- 1) Receive a presentation on four options and provide direction on an option for the repair project, with staff recommending approval of Option 4 (below); and
 - 2) If Option 4 is approved, it is recommended the Board approve the attached budget amendment for Fiscal Year 2019-2020 in the amount of \$132,674 allocating \$39,674 in Federal Emergency Management Agency funding and \$93,000 of local funds to the Chief Administrative Office, Parks and Trails Division, for work to be completed by the Department of Transportation. (Est. Time 15 Min.)

FUNDING: Local and state discretionary funding initially (100%). Department of Transportation staff working with the Federal Emergency Management Agency and the California Office of Emergency Services to obtain reimbursement, with local funds coming from Parks Project Savings in the Accumulative Outlay Fund, SPTC JPA, and Ponderosa Quimby Fund; potential General Fund impact depending on option selected.

Public Comment: J. Harvel, T. Kayes, K. Payne, C. Cockrell

A motion was made by Supervisor Frentzen, seconded by Supervisor Parlin to:

- 1) Direct staff to bring an update to the Board in the first quarter of 2020 or sooner if a response is received from the Federal Emergency Management Agency; and
- 2) Approve the attached Budget Transfer.

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

12. 19-1539

Chief Administrative Office requesting the Board:

- 1) Discuss whether the County should support and fund the participation of Department Heads in the American Leadership Forum, and if so, provide direction to the Chief Administrative Office regarding the level of support that should be provided; and
- 2) Consider and approve funding for one Department Head to attend the American Leadership Forum in Fiscal Year 2019-2020. (Est. Time: 20 Min.)

FUNDING: There is no funding associated with this Board item, but if the Board chooses to fund the participation of Department Heads, the current cost is \$13,500.

Public Comment: L. Brent-Bumb, T. Kayes, K. Greenwood

A motion was made by Supervisor Hidahl, seconded by Supervisor Novasel to:

- 1) Only support the participation of one Department Head per American Leadership Forum (ALF) session. If more than one Department Head is nominated, seniority shall be the determining factor in which Department Head the County will support participating in the ALF forum;
- 2) The County will contribute a maximum of \$13,500 to the cost of the program, with the remainder to be covered through scholarships provided by ALF or paid by the participant;
- 3) Require the Department Head to have sufficient appropriations within their budget. If these criteria are met, the request should then be submitted to the Chief Administrative Officer (CAO) for approval. If the Department does not have sufficient appropriations to cover the costs in their budget, especially in regards to smaller departments, the request should be submitted to the CAO for consideration and if supported, then brought to the full Board for approval; and
- 4) Require the Department Head to sign a promissory note obligating the employee to repay the full amount should their employment with the County be severed prior to completion of two (2) full years of service after the County contributes to the ALF program. This is the same as the relocation expense reimbursement policy.

Yes: 3 - Novasel, Hidahl and Parlin

Noes: 1 - Frentzen

Absent: 1 - Veerkamp

- 13. 19-1396** Department of Transportation recommending the Board approve and authorize the Chair to sign Resolution **169-2019** setting for election a measure to consider a special tax for the purpose of snow removal equipment acquisition and services in the South Shore Snow Removal Zone of Benefit 501 within County Service Area 3, noting that the measure will be submitted to the zone electorate on the ballots distributed for the Presidential Primary Election to be held March 3, 2020. (Est. Time: 20 Min.)

FUNDING: County Service Area Zone of Benefit Special Taxes.

Public Comment: T. Kayes, K. Greenwood

A motion was made by Supervisor Frentzen, seconded by Supervisor Parlin to Continue this matter to October 22, 2019.

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

- 14. 19-1429** Planning and Building Department recommending the Board:
- 1) Award Request for Proposal 19-905-081 for the provision of imagery services, to Planet Labs, Inc., which will be used for geographic information systems to provide updated satellite imagery of the County with the primary use of identifying illegal cannabis cultivation;
 - 2) Make findings that it is more feasible and economical to contract for the provision of imagery services with Planet Labs, Inc.;
 - 3) Authorize the Planning and Building Department to negotiate a 3-year Agreement for Services with Planet Labs, Inc., in an amount not to exceed \$492,975;
 - 4) Authorize the Purchasing Agent to execute said Agreement, contingent upon County Counsel and Risk Management review, including minor revisions as required; and
 - 5) Authorize the Chair to execute an amendment to the Fiscal Year 2019-2020 Adopted Budget, increasing expense for the first year of the Agreement and budgeting cannabis tax revenue sufficient to cover the first year cost (4/5 vote required). (Est. Time: 15 Min.)

FUNDING: Commercial Cannabis Tax. (General Fund)

Public Comment: R. Miller, D. Schaffer, T. Kayes, K. Greenwood, P. Mosbacher

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

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

10:00 A.M. - TIME ALLOCATION

- 15. **19-1469** Department of Transportation recommending the Board receive a presentation on County Service Areas and Zones of Benefit. (Est. Time: 1 Hr.)

FUNDING: County Service Area Zones of Benefit.

Public Comment: T. Kayes

Received and Filed.

11:00 A.M. - TIME ALLOCATION

- 16. **19-1540** Supervisor Novasel recommending the Board approve and authorize the Chair to sign a Proclamation to recognize Veterans Day and to honor our veterans, observed on November 11, 2019. The Proclamation will be presented during the Annual Veterans Day ceremony at the El Dorado County Veterans Monument on Monday, November 11, 2019, at 11:00 a.m. Supervisor Novasel respectfully invites the members of the community to attend this ceremony. (Est. Time: 5 Min.)

Supervisor Novasel read the Proclamation.

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

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

- 17. **19-1346** Community & Economic Development Advisory Committee (CEDAC) recommending the Board:
 - 1) Receive and file a presentation on CEDAC's Annual Report and recommended Action Plan; and
 - 2) Approve the recommended Action Plan. (Est. Time: 30 Min.)

FUNDING: N/A

Public Comment: K. Greenwood, T. Kayes

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

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

ITEMS TO/FROM SUPERVISORS

Supervisor Frentzen reported on the following:
Fire Safe Council fundraiser.
Water Agency workshop.
Many meetings with constituents.
Broadband meeting.

Supervisor Parlin reported on the following:
Water Agency workshop.
Georgetown Fire meeting.
Grant opportunities.
Recorder-Clerk meeting.
County Counsel and Kelsey Cemetery meeting.
Shingle Springs underground utility district.
Fundraising events.
Garden Valley breakfast.
Tree Mortality working group.

Supervisor Hidahl reported on the following:
Cost to the County of the power outage.
Area Planning Advisory Committee meeting.
El Dorado Hills Community Services District meeting.
Homelessness and Housing meeting.
Monthly long range planning meeting.

Supervisor Novasel reported on the following:
Tahoe Conservancy board meeting.
Tahoe Transportation District meeting.
First 5 meeting.
Juvenile Treatment Center lunch in Tahoe.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Resource Conservation District and Forest Service conversation with staff and Supervisor Parlin.
Chief Administrative Officer conference.
Working on costs to the County due to the power outage.

ADJOURNED AT 4:26 P.M.

CLOSED SESSION

- 18. 19-1544** 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. (Est. Time: 10 Min.)

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

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

Emergency Item added to the Agenda

- 19. 19-1565** Supervisor Novasel recommending the Board receive a presentation provided by Laurence Crabtree, Forest Supervisor, Eldorado National Forest, on the Caples Fires occurring in El Dorado County. (Est. Time: 30 Min.)

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

The Board received a presentation on the Caples Fire.