



County of El Dorado

Board of Supervisors
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Minutes - Final Board of Supervisors

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

James S. Mitrisin, Clerk of the Board of Supervisors
Larry T. Combs, Chief Administrative Officer
Michael Ciccozzi, Interim County Counsel

Tuesday, January 26, 2016

9:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Clerical corrections were made to Closed Session items 25 and 27.

Items 30 and 31 are hereby added to Closed Session.

Vision Statement

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

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

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<http://eldorado.legistar.com/Calendar.aspx>

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Public comment will be received on each agenda item listed under Department Matters 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

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Craig Klatt from the Camino Adventist Church gave the Invocation.
Supervisor Novasel gave the Invocation.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: J. Copeland, M. Lane, S. Taylor, K. Payne

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

Continue items 2 and 19 to February 9, 2016.

Pull item 4 for discussion.

Supervisor Frentzen registered a No vote on item 1 pertaining to the Minutes from December 8, 2015.

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

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: G. Turnbo, S. Taylor, M. Lane, C. Lewis, L. Parlin, T. LeMoncheck

16-0099 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 Veerkamp attended the first monthly meeting for the Sacramento Area Council of Governments.

The Sheriff is in the process of holding several town halls regarding public safety.

District 3 will be holding a town hall meeting February 2, 2016 in the Board of Supervisors meeting room centering around public safety.

Supervisor Frentzen attended the Rural County Representatives of California Board meeting and installation dinner last Wednesday as an Alternate. She had an opportunity to connect with other Board members and Supervisors from other areas. Also, those active with Broadband.

Last Friday she attended the Local Agency Formation Commission meeting. Several bills were discussed.

The Sheriff had a meeting at Pioneer Park on Monday evening.

Supervisor Novasel will be attending the Tahoe Regional Planning Agency governing board meeting on Wednesday. Shoreline projects and policies will be discussed.

She will be attending the Mental Health Commission meeting Wednesday evening.

On Thursday, she will be attending the South Tahoe Redevelopment Successor Agency Oversight Board meeting and the Tahoe Paradise Resort Improvement District meeting. Plans for 2016 will be discussed.

She will end her week with the South Lake Tahoe Recreation Facilities Joint Powers Authority where they will discuss bikeable and walkable communities.

Supervisor Ranalli participated in the Cool/Pilot Hill Fire Safe Council meeting on January 13, 2016.

Last week he participated in a Gold Rush Days planning session for the north County. This is to ensure that businesses are prepared for the upcoming Gold Panning Championship.

Supervisor Ranalli also attended the Rural County Representative of California Board meeting and the installation of officers at the capitol last week. He met with law makers and legislative analysts. He received a rural county update on the Governor's budget. He also spoke of upcoming bills.

CAO UPDATE

No report.

CONSENT CALENDAR

- 1. **16-0054** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of December 8, 2015 and January 12, 2016.

This matter was Approved on the Consent Calendar. Supervisor Frentzen registered a No vote pertaining to the Minutes from December 8, 2015.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **14-0959** Chief Administrative Office, Facilities Division, recommending the Board consider the following:
 - 1) Authorize the Chair to sign Sub-Local Sponsor Agreement 129-F1611 with the El Dorado County Water Agency to accept Proposition 84 Integrated Regional Water Management 2014 Drought Grant funds in the amount of \$1,639,217 for the term August 7, 2015 through June 30, 2019; and
 - 2) Delegate authority to the Facilities Manager, or designee, to execute all grant documents, including, but not limited to, amendments, requests for payment, reports, and all associated documents necessary to secure grant funds and implement the approved grant program that do not increase the dollar value or extend the term of the grant.

FUNDING: Proposition 84 Integrated Regional Water Management 2014 Drought Grant Funds.

This matter was Continued to February 9, 2016 upon Approval of the Consent Calendar.

- 3. **14-1467** Chief Administrative Office, Facilities Division, recommending the Board authorize the Purchasing Agent, pursuant to County Counsel and Risk Management approval, to sign Agreement 271-O1611 with Modular Space Corporation, Inc., in an amount not-to-exceed \$364,813 for a two year term to provide temporary office space as related to the renovation of County Buildings A and B.

FUNDING: Accumulated Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

4. **13-0606** Chief Administrative Office, Parks Division, recommending the Board approve the Latrobe Pancake Breakfast run from January 2016 through March 2016, a total of three (3) runs as requested by Placerville and Sacramento Valley Rail Road.

Funding: N/A

Public Comment: J. Harvel

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

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

5. **16-0023** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retiring Sheriff Captain Robert Ashworth.

This matter was Approved on the Consent Calendar.

6. **16-0008** County Counsel and Clerk of the Board recommending the Board approve and authorize the Chair to sign perpetual Agreement 252-S1611 with WebQA, Inc. for countywide implementation of "GovQA Freedom of Information Act" applications that provide a central, web based platform to capture and track responses to Public Records Act requests. The approximate cost for the first year is \$11,900 including implementation and anticipated costs of \$8,500 annually thereafter.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

7. **09-1484** Human Resources, Risk Management Division, and the Chief Administrative Office recommending the Board approve and authorize the Chair to sign Amendment IV to Agreement 356-S1011 with Alliant Insurance Services, Inc. to provide employee benefit consulting for the Human Resources, Risk Management Division, for the period of February 1, 2010 through January 31, 2017, increasing the not to exceed amount by \$100,000 for a total not to exceed amount of \$710,000.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

8. 16-0027

Treasurer/Tax Collector and Recorder/Clerk recommending the Board approve a budget transfer appropriating funds in the amount \$18,000 from the Recorder's Modernization Special Revenue Fund to the Treasurer/Tax Collector for the acquisition of software and support services to implement a system for electronic recording of liens. (4/5 vote required)

FUNDING: Special Revenue Fund. (Recorder's Modernization Fund was created to support, maintain, improve and provide for the full operation for modernized creation, retention and retrieval of information in the Recorder's system of recorded documents)

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

9. 12-1479

Health and Human Services Agency, Public Health Division, recommending the Board:

- 1) Approve the Children’s Medical Services Programs Budgets and Work Plans for the County of El Dorado for Fiscal Year 2015/16 for the provision of required preventive and specialized health care services to children from birth to 21 years of age who are afflicted with life-threatening and/or severe life-altering chronic medical conditions, with a maximum reimbursement amount of \$939,631;
- 2) Delegate authority to the Health and Human Services Director to execute Certification Statements and any additional documents related to this funding, contingent upon approval by County Counsel and Risk Management; and
- 3) Authorize the Health and Human Services Agency Director or Chief Fiscal Officer to execute any required fiscal and programmatic reports.

FUNDING: Annual Federal and State Children’s Medical Services Allocations, Public Health Realignment Fund Match, Social Services Realignment Fund Match and County General Fund Match.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 10. 15-1437** Community Development Agency, Environmental Management Division, recommending the Board consider the following:
- 1) Accept grant award in the amount of \$3,000 through the United States Food and Drug Administration, for three staff members to attend the California Environmental Health Association Annual Education Symposium for 2016; and
 - 2) Delegate authority to the Community Development Agency Director, or designee, to execute all grant documents, including, but not limited to, request for payments, reports and all associated documents necessary to secure grant funds and implement the Retails Standards Grant Program.

FUNDING: United States Food and Drug Administration Grant. (Federal Funds)

This matter was Approved on the Consent Calendar.

- 11. 15-1438** Community Development Agency, Environmental Management Division, recommending the Board consider the following:
- 1) Accept grant award in the amount of \$10,000 through the National Association of County and City Health Officials for the Voluntary National Food Regulatory Program Standards Mentorship Program;
 - 2) Upon approval by County Counsel and Risk Management, authorize the Purchasing Agent to execute Agreement 327-O1611, in the amount of \$10,000, for the approximate term, effective retroactively, of December 1, 2015 through August 31, 2016; and
 - 3) Delegate authority to the Community Development Agency Director, or designee, to execute all grant related documents, including, but not limited to, reports, request for payments and all associated documents necessary to secure and expend grant funds as designated under the Agreement.

FUNDING: National Association of County and City Health Officials Grant. (Federal Funds)

This matter was Approved on the Consent Calendar.

- 12. 15-1471** Community Development Agency, Administration and Finance Division, recommending the Board authorize the expansion of the Renke Annex to the Georgetown Pioneer Cemetery in the form of the addition of four new single-sided columbaria containing twenty-four niches each, for a total of ninety-six niches.

FUNDING: Georgetown Cemetery Zone of Benefit Special Taxes.

This matter was Approved on the Consent Calendar.

13. 16-0019

Community Development Agency, Transportation Division, recommending the Board consider the following, pending review, minor modification, and approval by County Counsel and Risk Management, pertaining to the Salmon Falls Road South of Glenesk Lane Realignment Project, Contract PW 11-30597, CIP 73362, P&C 145-C1599:

- 1) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans; and
- 2) Authorize advertisement for construction bids.

FUNDING: Highway Safety Improvement Program (61%) and Rural Regional Surface Transportation Program Exchange Funds (39%).

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 14. 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. 1/12/16, Item 29)

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 15. 14-1322 Chief Administrative Officer recommending the Board receive a presentation on the Citizen Engagement Survey results from the Kiely Group pertaining to the El Dorado County Strategic Plan. (Est. Time: 1 Hr.)

Public Comment: L. Weitzman, K. Payne

Received and Filed.

11:00 A.M. - TIME ALLOCATION

- 16. 15-0896 Chief Administrative Office, Facilities Division, recommending the Board consider the following:
 - 1) Authorize the Department to enter into negotiations with the City of South Lake Tahoe regarding the potential sale or transfer of a portion of parcel number 026-050-05, commonly referred to as the "City of South Lake Tahoe Campground by the Lake;" and
 - 2) Appoint the Chief Administrative Officer, or designee, as the real estate negotiator on behalf of the County.

FUNDING: Unknown at this time.

Public Comment: T. Davis

A motion was made by Supervisor Veerkamp, seconded by Supervisor Novasel to Approve this matter and include the following language:

Action item 1): Authorize the Department to enter into negotiations with the City of South Lake Tahoe regarding the potential sale, transfer (include language: or update) of a portion of parcel number 026-050-05, commonly referred to as the "City of South Lake Tahoe Campground by the Lake."

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

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

- 17. 15-1420 Chief Administrative Office and Community Development Agency recommending the Board discontinue consideration of an interim Traffic Impact Mitigation Fee refund policy for residential development due to recent litigation filed challenging the validity of the County's current Traffic Impact Mitigation Fee program.

FUNDING: TIM Fees and Road Fund.

Public Comment: K. Payne

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

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

18. 16-0049

Chief Administrative Office recommending the Board:

- 1) Approve a new open and competitive "Economic Development Opportunity" program to allocate 2016 Transient Occupancy Tax revenues for economic development projects in El Dorado County;
- 2) Approve an application process for funding; and
- 3) Name the Chief Administrative Office/Economic Development Manager as administrator of the grant program.

FUNDING: Transient Occupancy Tax.

Public Comment: K. Payne, M. Semonsen, L. Brent-Bumb, D. Manning

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

Yes: 4 - Mikulaco, Veerkamp, Frentzen and Ranalli

Noes: 1 - Novasel

19. 16-0066

Chief Administrative Office, Facilities Division, recommending the Board consider the following:

- 1) Authorize the Department to enter into negotiations with the property owners of 161 Fair Lane (APN 325-280-34-100), 203 Fair Lane (APN 325-280-25), 201 Fair Lane (APN 325-280-12-100) and 197 Fair Lane (APN 325-280-11-100); and
- 2) Appoint the Chief Administrative Officer, or designee, as the real estate negotiator on behalf of the County.

FUNDING: Unknown at this time.

This matter was Continued to February 9, 2016 upon Approval of the Consent Calendar.

20. 16-0060

Supervisor Ranalli recommending the Board:

- 1) Approve Supervisor Ranalli's recommendation for the appointment of the District IV representative to the Planning Commission for a term ending January 1, 2019; and
- 2) Extend its appreciation to Dave Pratt for his dedication to the County of El Dorado through his commitment of almost seven years of service as a member of the El Dorado Planning Commission that included two terms as the Commission's Chairman, and over four years of service to the El Dorado County Agricultural Commission.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and Appoint James Williams as the District IV representative to the Planning Commission for a term ending January 1, 2019.

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

2:00 P.M. - TIME ALLOCATION

21. 16-0067 Supervisor Veerkamp recommending the Board join him in acknowledging the life-saving efforts of Hannah Fiterre and Mary Garecht. They successfully performed CPR and saved the life of Ken Scanavino on November 6, 2015. (Est. Time: 10 Min.)

Supervisor Veerkamp read the Proclamation.

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

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

ADJOURNED AT 5:03 P.M.

CLOSED SESSION

- 22. 16-0061** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Debra Sue Nelson v. El Dorado County by and through El Dorado County Treasurer & Tax Collector Bankruptcy Case 09-42080-C-7 Adversary Proceeding 15-02199-C. Number of cases:(1). (Est. Time:10 Min.)
- No Action Reported. All five Supervisors participated.**
- 23. 15-0463** **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.**
- 24. 16-0047** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4); Number of potential cases: (2). (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
- 25. 16-0072** **Conference with Legal Counsel - ~~Initiation of Litigation~~ Existing Litigation** pursuant to Government Code section 54956.9(d)(4) (1). Title: Ronald V. Briggs and Norma Santiago v County of El Dorado, and Does 1 through 3, inclusive. PC20150518. Number of potential cases: (1). (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
- 26. 16-0082** **Conference with Legal Counsel - Anticipated Litigation** pursuant to Government Code Section 54956.9(d)(4). Title: Number of potential cases: (1). (Est. Time: 15 Min.)
- This matter was Continued to February 9, 2016.**
- 27. 15-1397** **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 regarding the real property ~~described as 3050 Lake Tahoe Blvd~~ located at 3050-3066 Lake Tahoe Blvd., South Lake Tahoe, California, known as Assessor's Parcel Number 026-050-05. The person or persons with whom the negotiator may negotiate is the City of South Lake Tahoe. Instructions to negotiator will concern price and terms of payment. Larry Combs, or designee, will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)
- No Action Reported. All five Supervisors participated.**

- 28. 16-0083** **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, Probation, and Corrections Bargaining Units; 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: 20 Min.)

This matter was Continued to February 9, 2016.

- 29. 16-0070** **Pursuant to Government Code section 54957- Public Employee Appointment.** Title: County Counsel. (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

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

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

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

ADDENDUM**CLOSED SESSION**

Clerical corrections were made to Closed Session items 25 and 27.

- 25. 16-0072** **Conference with Legal Counsel - Initiation of Litigation Existing Litigation** pursuant to Government Code section 54956.9(d)(4) (1). Title: Ronald V. Briggs and Norma Santiago v County of El Dorado, and Does 1 through 3, inclusive. PC20150518. Number of potential cases: (1). (Est. Time: 20 Min.)
No Action Reported. All five Supervisors participated.
- 27. 15-1397** **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 regarding the real property ~~described as 3050 Lake Tahoe Blvd~~ located at 3050-3066 Lake Tahoe Blvd., South Lake Tahoe, California, known as Assessor's Parcel Number 026-050-05. The person or persons with whom the negotiator may negotiate is the City of South Lake Tahoe. Instructions to negotiator will concern price and terms of payment. Larry Combs, or designee, will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)
No Action Reported. All five Supervisors participated.
- 30. 15-1065** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Claim of Willie Shamas v. County of El Dorado, Workers' Compensation Claim Settlement, York Risk Services Group, Inc., Claim Number ELAB-547770. Number of potential cases: (1). (Est. Time: 10 Min.)
This matter was Continued to February 9, 2016.
- 31. 16-0084** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Sarah Kern vs. County of El Dorado, Michael Allen Overmeyer, and DOES 1 through 50 inclusive. Number of cases: (1). (Est. Time: 5 Min.)
No Action Reported. All five Supervisors participated.