



County of El Dorado

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

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, August 18, 2015

9:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item No. 18 is hereby added to the Consent Calendar.

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>

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 as it is called. 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. 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. Public comment on items scheduled for Closed Session will be received promptly at 8:00 A.M. before the Board recesses to Closed Session. The Board reserves the right to waive said rules by a majority vote.

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.

9:01 A.M. - CALLED TO ORDER AND CONVENED TO OPEN SESSION

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Mark Cowles from the Highway Bible Church gave the Invocation.
Supervisor Mikulaco led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: M. Lane, C. Smith

**A motion was made by Supervisor Mikulaco, seconded by Supervisor Novasel to Adopt the Agenda and Approve the Consent Calendar with the following changes:
Pull item 9 for discussion.
Correct Adjourned In Honor to Michael "Mikey" Hallenbeck on the August 11, 2015 Minutes.**

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

15-1005 Public Comment (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: K. Webb, L. Parlin, M. Lane, M. Villabos, C. Morris, A. Day

15-1007 Public Comment (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. The Board reserves the right to impose a reasonable limit of time afforded to any topic or individual speaker.

DEPARTMENT/SUPERVISOR REPORTS

Chief Probation Officer, Brian Richart, reported that on June 24, 2015 at the Coloma Resort the Probation Department invited a group of 10 (ten) children to participate in a day rope course challenge to build positive youth development.

Supervisor Frentzen recognized Don Spear and his team for all their hard work making the road maintenance data available.

Supervisor Ranalli also thanked the road maintenance team for the maps of what has been done and the pavement management system and index. There was another fire in Garden Valley at the top of Mt. Murphy Road. He thanked everyone for the quick response.

Supervisor Veerkamp reported he attended a Water Agency meeting last week in South Lake Tahoe. There was a presentation by the Public Utilities District. On Monday, August 24, 2015 is the Tahoe Summit at Sand Harbor. There will be a special meeting of the Board of Supervisors on August 31, 2015 in Lake Tahoe.

Supervisor Veerkamp has attended numerous meetings regarding fire safe work.

On Thursday, there is the monthly Sacramento Area Council of Governments meeting.

CONSENT CALENDAR

- 1. **15-0976** Clerk of the Board recommending the Board approve the MInutes from the regular meeting of August 11, 2015.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **15-0980** Auditor-Controller recommending the Board adopt and authorize the Chair to sign Resolution **146-2015** establishing the 2015/16 rate of the Tax Levy for the taxing agencies in the County of El Dorado.

Resolution 146-2015 was Adopted upon Approval of the Consent Calendar.

- 3. **14-0377** Chief Administrative Office, Economic Development Division, recommending the Board consider the following:
 - 1) Confirm the previous determination that a public benefit is derived from the Festival of the Americas Pow Wow cultural event; and
 - 2) Authorize the Purchasing Agent to sign Amendment 1 to Funding Agreement #133-F1511 with Foothill Indian Education Alliance, Inc., extending the term of the Agreement to December 31, 2016, with no increase in financial contributions towards the event.

FUNDING: Transient Occupancy Tax.

This matter was Approved on the Consent Calendar.

- 4. **15-0978** Supervisor Ranalli recommending the Board approve the Chair's signature on a Proclamation to be presented to Perry King in recognition for his motion picture contributions to the County of El Dorado.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

5. **13-0615** Community Development Agency, Administration and Finance Division, recommending the Board consider the following pertaining to the Habitat/Security Fence and Gates Project at the Placerville Airport, Contract No. PW 11-30584, CIP No. 93124, P&C No. 184-C1399:
- 1) Approve and authorize the Chair to sign the Notice of Acceptance with A-1 American Fence, Inc.; and
 - 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety.

FUNDING: This Project was funded with a Federal Aviation Administration Grant (90%) and Accumulated Capital Outlay Funds (10%). (Federal Funds)

This matter was Approved on the Consent Calendar.

6. **15-0597** Community Development Agency, Transportation Division, recommending the Board authorize the Chair to sign the Federal Apportionment Exchange Program and State Match Program Agreement No. X15-5925(135) with the State of California Department of Transportation allowing direct exchange with the State of \$321,909 in Fiscal Year 2014/15 Regional Surface Transportation Program Exchange Funds and in addition allowing for the disbursement of \$100,000 in State Match Funds. This recommended action will allow the Road Fund to receive \$421,909 of State revenue.

FUNDING: Regional Surface Transportation Program Exchange Funds.

This matter was Approved on the Consent Calendar.

7. **15-0872** Community Development Agency, Transportation Division, recommending the Board adopt and authorize the Chair to sign Resolution **139-2015** to claim an allocation of \$80,000 in Transportation Development Act Article 3 Local Transportation Fund, Bicycle/Pedestrian funds from the El Dorado County Transportation Commission for the Green Valley Road Class II Bike Lanes, CIP Project No. 72309.

FUNDING: Transportation Development Act Article 3 Local Transportation Fund Bicycle and Pedestrian Funds, El Dorado County Transportation Commission, Resolution No. 14/15.25.

Resolution 139-2015 was Adopted upon Approval of the Consent Calendar.

8. 15-0889

Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Green Valley Road Utility Easement Acquisition:

- 1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes in the amount of \$2,450 with title and escrow costs estimated at \$2,500, for a total estimated cost of \$4,950 and the Certificate of Acceptance for the related documents from Safeway, Inc., a Delaware Corporation for Assessor's Parcel Number 110-130-41;
- 2) Authorize the Community Development Agency Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to this transaction; and
- 3) Authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties, if necessary.

FUNDING: Road Fund (100%). (No Federal Funds)

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

9. 15-0933 Community Corrections Partnership (CCP) Executive Committee recommending the Board consider the following:
- 1) Review and accept the recommended AB 109 Public Safety Realignment Budget and related Implementation Plan for Fiscal Year 2015/16;
 - 2) Approve the continuation of the perpetual Memorandum of Understanding #172-M1510 between Placerville Police Department, South Lake Tahoe Police Department and El Dorado County Probation Department for the "Managing the Effects of Public Safety Realignment Enforcement Operations Program". (as defined in section 7, Term of the Agreement) for the term of 7/1/2015 through 6/30/2016 in the amount of \$100,000 as approved by the CCP Executive Committee on 6/29/2015; and
 - 3) Review and approve the recommended list of items to fund from the Board of State and Community Corrections Planning and Grant Programs, referred to within the CCP as the Planning and Implementation Funds for Fiscal Year 2015/16 in the amount of \$187,250.

FUNDING: California State Budget FY 2015/16, Community Corrections Subaccount within the Law Enforcement Services Account in the Local Revenue Fund 2011 and Budget Act of 2015 through Senate Bill 69.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Ranalli to Approve this matter and direct staff to amend the language pertaining to the "Contingency Fund" referenced in the "Public Safety Realignment Implementation Plan" (Attachment B, page 5) as follows:

Contingency Fund (\$500,000): Establish a contingency fund in the event of a fiscal shortfall or unplanned one time urgent need. Funds would only be utilized at the recommendation of the CCP Executive Committee and upon approval of the Board of Supervisors.

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

10. 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. 8/11/15, Item 26)

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

GENERAL GOVERNMENT - 10:00 A.M. TIME ALLOCATION

- 11. **15-0914** Supervisor Veerkamp recommending the Board receive and file a presentation from Court Appointed Special Advocate. (Est. Time: 15 Min.)

Public Comment: B. Smiley, Becky Savage, Beverly Savage, S. Wiley, J. Norris, I. Norris, P. Palmer, M. Loriaux, T. Makris, P. Riley, K. Greenwood, B. Parrow, J. Henriquez

Received and Filed.

LAND USE AND DEVELOPMENT - 10:00 A.M. TIME ALLOCATION

- 12. **14-1047** HEARING - Community Development Agency, Environmental Management Division, recommending the Board adopt and authorize the Chair to sign Resolution **140-2015** retroactively adjusting the residential and commercial collection rates for Waste Connections of California, Inc., dba El Dorado Disposal Service, to July 1, 2015 in accordance with the proposed rates previously conceptually approved by the Board on October 21, 2014. (Est. Time: 20 Min.)

FUNDING: Franchise Fees. (No Federal Funding)

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Frentzen to Adopt Resolution 140-2015.

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

13. 15-0905

HEARING - Community Development Agency, Environmental Management Division, recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **144-2015** authorizing the approval of consolidation of the Amador Disposal Service franchise service area into the El Dorado Disposal Service Franchise Agreement; approving the First Amendment to the El Dorado Disposal Service Franchise Agreement; and terminating the existing Franchise Agreement between the County and Amador Disposal Service;
- 2) Authorize the Chair to sign the First Amendment to the El Dorado Disposal Franchise Agreement incorporating the Amador Disposal Service franchise service area (designated as Area B); and
- 3) Adopt and authorize the Chair to sign Resolution **145-2015** authorizing the proposed rate adjustment and schedule for residential and commercial customers in the Amador Disposal Service franchise service area (Area B of the First Amendment to El Dorado Disposal Service Franchise Agreement). (Est. Time: 20 Min.)

FUNDING: Garbage Franchise Fees. (No Federal Funds)

Public Comment: M. Almar

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to Approve this matter and Adopt Resolutions 144-2015 and 145-2015.

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

14. 15-0632

Community Development Agency, Environmental Management Division, recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **143-2015** consenting to the assignment of, and authorizing the approval of consolidation of, the Sierra Disposal Service franchise service area and previously approved rate schedule into the El Dorado Disposal Service Franchise Agreement; approving the Second Amendment to the El Dorado Disposal Service Franchise Agreement; terminating the existing Franchise Agreement between the County and Sierra Disposal Service; and establishing the franchise transfer fee in an amount not to exceed \$35,000 to cover all direct and administrative expenses of County, including consultant and attorney fees, associated with the transfer of the Sierra Disposal Service Franchise Agreement to El Dorado Disposal Service; and
- 2) Authorize the Chair to sign the Second Amendment to the El Dorado Disposal Service Franchise Agreement incorporating the Sierra Disposal Service franchise area (designated as Area C). (Est. Time: 30 Min.)

FUNDING: Garbage Franchise Fees. (No Federal Funding)

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to Approve this matter and Adopt Resolution 143-2015.

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

END 10:00 A.M. - TIME ALLOCATION

DEPARTMENT MATTERS

GENERAL GOVERNMENT - DEPARTMENT MATTERS

- 15. 15-0984** Chief Administrative Office recommending the Board approve and authorize the Chair to sign a budget transfer related to year end close issues. (4/5 vote required)

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

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

- 16. 15-0736** Chief Administrative Office, Economic Development Division, recommending the Board approve \$7,572 in 2015/16 membership dues funding for the Sierra Economic Development Corporation. (Cont. 8/11/15, Item 33)

FUNDING: General Fund. (Transient Occupancy Tax)

Public Comment: K. Payne

A motion was made by Supervisor Frentzen to withdraw from the Sierra Economic Development Corporation.

Motion failed for lack of a second.

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

Yes: 3 - Veerkamp , Ranalli and Novasel

Noes: 2 - Mikulaco and Frentzen

17. 15-0891

Chief Administrative Office, Economic Development Division, recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **147-2015** making changes to the Community and Economic Development Advisory Committee;
- 2) Direct staff to evaluate the applications received for vacant positions on the Community and Economic Development Advisory Committee in accordance with Board Policy I-5 and make recommendations to the Board no later than September 29, 2015.
- 3) Provide direction to staff regarding areas of focus for the Committee. (Est. Time: 15 Min.) (Refer Item 18, 04/07/15, File 15-0281)

FUNDING: N/A

Public Comment: K. Payne, L. Parlin, S. Taylor

A motion was made by Supervisor Novasel, seconded by Supervisor Ranalli to Approve this matter and Adopt Resolution 147-2015 with the following changes:

1) Direct staff to reduce the membership of the Community and Economic Development Advisory Committee to 7 (seven) members to include the following:

- 5 (five) Board of Supervisors appointments (District specific)**
- 2 (two) Member at Large appointments**
- 1 (one) Alternate Member at Large appointment; and**

2) Direct staff to include in the Resolution that the Brown Act applies to the Community and Economic Development Advisory Committee.

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

CAO UPDATE

No update.

ITEMS TO/FROM SUPERVISORS

No update.

ADJOURNED AT 1:44 P.M.

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**CONSENT CALENDAR****GENERAL GOVERNMENT - CONSENT ITEMS**

- 18. 15-0804** Supervisors Ranalli and Veerkamp recommending the Board approve and ratify the Chair's signature on a letter which supports alternative four in the Project Draft Environmental Impact Statement for the King Fire, which would increase treatments in strategic locations to establish and maintain a reduced fuel load for future suppression, change fire behavior, and improve management of natural and prescribed fires. This is the second letter of support for alternative four. It is necessary due to the Forest Service opening up another comment period on the Project Draft Environmental Impact Statement for the King Fire.

This matter was Approved on the Consent Calendar.