



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. Mitrison, Clerk of the Board of Supervisors
Pamela Knorr, Chief Administrative Officer
Robyn Drivon, County Counsel

Tuesday, March 10, 2015

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item No. 23 is hereby added to Closed Session.

Vision Statement

"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local 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 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.

8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:17 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Craig Klatt of the Camino Adventist Church gave the Invocation.
Supervisor Ranalli led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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

Pull items 2 and 5.

Supervisor Novasel recused herself from item 6.

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.

15-0348 OPEN FORUM (See Attachment)

Public Comment: C. Smith, K. Payne, J. Maroun

DEPARTMENT/SUPERVISOR REPORTS

Steve Pedretti, Community Development Agency Director, gave an update.

Bard Lower, Transportation Division Director, spoke about the awards the Transportation Division has received.

Supervisor Mikulaco reminded everyone that a week from today the Board of Supervisors meeting will be in El Dorado Hills. The meeting will start at 9:00 a.m.

Supervisor Novasel attended the Mental Health Forum in South Lake Tahoe last week. Over seventy people attended. Yesterday she attended the First 5 El Dorado Children and Families Commission meeting.

Supervisor Veerkamp attended the Transportation Commission and Transit Authority meetings last week. Mid-year updates were received along with preliminary budget information. A budget ad hoc for the Chair and Vice Chair for the Transportation Commission was approved. Tomorrow is the El Dorado Water and Power Authority meeting which begins at 9:00 a.m. There will be an overview of the current water rights project.

CONSENT CALENDAR

- 1. **15-0277** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on March 3, 2015.

This matter was Approved on the Consent Calendar.

- 2. **14-1640** Chief Administrative Office, Facilities Division, recommending the Board consider the following:
 - 1) Make findings pursuant to Ordinance Code 3.13.030 that the ongoing aggregate of the work to be performed under this Agreement is not sufficient to warrant the addition of permanent staff; and
 - 2) Authorize the Purchasing Agent to sign Amendment II to Agreement for Services No. 089-S1410 with Miller Mechanical to provide on-call calibration, testing, reporting, maintenance and repair services for boiler, chiller, cooling tower, air handling and heating, ventilating, refrigeration and air conditioning systems at various County-operated facilities increasing compensation by \$200,000 for an amended not to exceed amount of \$260,000.

FUNDING: General Fund and Accumulated Capital Outlay Fund.

Public Comment: K. Payne

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

3. 14-0581

Health and Human Services Agency recommending the Board consider the following:

- 1) Provide conceptual approval for the Health and Human Services Agency, Public Health Division, to pursue an application to the Public Health Accreditation Board for national public health department accreditation;
- 2) Approve and authorize the Chair to sign a letter supporting the Health and Human Services Agency, Public Health Division's pursuit of national public health department accreditation;
- 3) Authorize the Director of the Health and Human Services Agency, or designee, to sign any documents associated with the public health department accreditation pre-application process; and
- 4) Instruct the Director of the Health and Human Services Agency to return to the Board for approval prior to authorizing any expenditures associated with the Public Health Accreditation process, including payment of the application fee.

FUNDING: Public Health Fund Balance.

This matter was Approved on the Consent Calendar.

4. 15-0015

Chief Administrative Office, Procurement and Contracts Division, on behalf of the Health and Human Services Agency, recommending the Board consider the following in regards to contracting out services to assist in the accreditation of Public Health:

- 1) Make findings in accordance with ordinance 3.13.030 that it is more economical and feasible to retain an outside consultant to provide consulting services to plan, organize, and coordinate the Agency's Public Health Division efforts to achieve national Public Health Accreditation;
- 2) Award Request for Proposal No. 15-918-013 to the successful proposer, Barbara Aved Associates of Sacramento, California, to provide such services;
- 3) Authorize the Health and Human Services Agency (HHS), Public Health Division, to negotiate an Agreement with Barbara Aved Associates in an amount not to exceed \$90,000;
- 4) Authorize the Chair to execute said Agreement, contingent upon approval by County Counsel and Risk Management;
- 5) Authorize the Purchasing Agent, or designee, to execute any amendments relating to the Agreement developed in association with RFP No. 15-918-013, which do not affect the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management; and
- 6) Authorize the Director of HHS, or designee, to execute any necessary administrative documents relating to said Agreement, including any documents associated with the public health department accreditation application process.

FUNDING: Public Health Fund Balance.

This matter was Approved on the Consent Calendar.

5. 14-1686

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

- 1) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to engage an outside contractor for the provision of safe collection and analysis of groundwater, surface water, storm water, wastewater, soil, hazardous materials and hazardous waste sample testing required either by law, permit and/or public safety; and
- 2) Approve and authorize the Chair to sign Agreement for Services 354-S1511 with California Laboratory Services in an amount not to exceed \$300,000 for a three (3) year term, beginning March 10, 2015 and expiring March 9, 2018.

FUNDING: County Service Area 10. (No Federal Funds)

A motion was made by Supervisor Mikulaco to Continue this matter to March 24, 2015.

This motion failed due to lack of a second.

A motion was made by Supervisor Frentzen, seconded by Supervisor Ranalli to Approve this matter with the following changes:

- 1) All staff to provide clarification/details on all funding sources in agenda items going forward; and
- 2) Staff to provide supporting funding documentation to the Board regarding this specific item.

Yes: 4 - Veerkamp , Frentzen, Ranalli and Novasel

Noes: 1 - Mikulaco

- 6. 13-1270** Community Development Agency, Long Range Planning Division, recommending the Board consider the following:
- 1) Accept and approve Amendment 1 to the Tahoe Regional Planning Agency (TRPA) Grant Contract No. 13C00083 amending the Scope of Work, Exhibit A and extending the Term of said Contract to June 30, 2015; and
 - 2) Approve and authorize the Chair to sign Amendment 1 to the TRPA Grant Contract and submit three (3) original Grant Documents in an amount not to exceed \$25,000 for the County to receive revenue to offset County staff time work on the Meyers Area Plan.

FUNDING: Tahoe Regional Planning Agency Grant Revenue. (No Federal Funds)

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

Yes: 4 - Mikulaco, Veerkamp , Frentzen and Ranalli

Recused: 1 - Novasel

- 7. 15-0148** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Long Term License Agreement between the California Tahoe Conservancy and the County of El Dorado (California Tahoe Conservancy Resolution 15-02-03) for use of land parcels by El Dorado County owned by the California Tahoe Conservancy to complete and maintain the Tahoe Hills Erosion Control Project (PW 14-31075, CIP No. 95171).

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 8. 14-0409** Community Development Agency, Transportation Division, recommending the Board consider the following for the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1C Riparian Restoration Project, CIP No. 71346, Purchasing Contract No. 201-C1599:
- 1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Taft A. Freitas and Dorothy A. Freitas, Husband and Wife as Joint Tenants, for Assessor's Parcel Number 325-180-30;
 - 2) Authorize the Community Development Agency Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees; and
 - 3) Authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties.

FUNDING: Master Circulation & Funding Plan Program. (No Federal Funds)

This matter was Approved on the Consent Calendar.

- 9. 14-1196** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Contract Change Order 1.1 with Thomas Haen Company, Inc. in the amount of \$3,655.13 to perform additional work related to erosion control for the Forest View Water Quality Project, CIP No. 95195, Purchasing Contract No. 059-C1575.

FUNDING: California Tahoe Conservancy Site Improvement Grant and Tahoe Regional Planning Agency/Water Quality Funds.

This matter was Approved on the Consent Calendar.

10. 15-0207

Community Development Agency, Transportation Division, recommending the Board consider the following for the Cold Springs Road Realignment Project, CIP No. 73360:

- 1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Joseph Thomas Sexton, Jr. and Lisa Sexton, Husband and Wife as Joint Tenants, for Assessor's Parcel Number 321-230-06;
- 2) Authorize the Community Development Agency Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees; and
- 3) Authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties.

FUNDING: Highway Safety Improvement Program Funds and Regional Surface Transportation Program Exchange Funds. (Federal Funds)

This matter was Approved on the Consent Calendar.

11. 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. 3/3/15, Item 6)

This matter was Approved on the Consent Calendar.

- 12. 15-0210** Health and Human Services Agency recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Memorandum of Understanding (MOU) 266-S1410 with Barton Healthcare System and Marshall Medical Center for distribution of the available current year reserve and prior years' fund balance revenue in the "Richie Fund" account balance to be used to "improve access to, and coordination of, pediatric trauma and emergency services in the County" with a term that begins upon final signature and terminates on March 1, 2021, or until funding specific to pediatric trauma services is discontinued or amended by legislation; and
 - 2) Authorize the Chair to execute amendments, if any, to MOU 266-S1410, which do not affect the method in which the funds are distributed or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Fines, penalties, or forfeitures collected by the courts for applicable criminal offenses under California Government Code 76000.5, California Health and Safety Code Section 1797.98a, and County Resolution 192-2007.

This matter was Approved on the Consent Calendar.

- 13. 15-0004** Sheriff's Office recommending the Board approve and authorize the Chair to sign and initial Amendment II to perpetual Agreement #672-S1410 with TransUnion Risk and Alternative Data Solutions, Inc. for a term from February 15, 2015 through February 14, 2016 in the amount of approximately \$5,700 (Flat Rate \$475 per month for 2,500 searches) depending on the volume of service.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 14. 15-0286** Supervisor Frentzen recommending the Board consider Eva Robertson as the District II appointee to the Community and Economic Development Advisory Committee (CEDAC). Term expiration March 10, 2016.

This matter was Approved on the Consent Calendar.

15. 15-0258

Supervisor Veerkamp recommending the Board cancel their regular meeting of Tuesday, April 21, 2015 due to Supervisor Frentzen and Supervisor Veerkamp's attendance at the annual Capitol to Capitol conference in Washington D.C. from April 18, 2015 through April 22, 2015.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

MONTHLY STAFF UPDATE - GENERAL PLAN UPDATE

- 16. 09-0098** Hearing to consider adoption of Resolution **036-2015** superseding Resolution 016-2009 approving the El Dorado Hills County Water District (Fire Department) Capital Improvement Plan and adopting Development Impact Fees.

FUNDING: Fire Impact Fees.

Public Comment: K. Payne, B. Carlson, L. Weitzman

Items 16 and 17 were heard together.

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp to Adopt Resolution 036-2015 and direct staff to:

- 1) Draft a letter outlining the Board's concerns to all Districts; and**
- 2) Return to the Board with a review of the fees for all Districts which is to occur annually.**

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

- 17. 14-0173** Chief Administrative Office recommending the Board direct the Auditor Controller to reimburse Development Impact Fees to the El Dorado Hills County Water District (Fire Department) in the amount of \$95,479.12. (Cont. 2/24/15, Item 11)

Public Comment: K. Payne, B. Carlson, L. Weitzman

Items 16 and 17 were heard together.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp to Approve this matter and direct staff to:

- 1) Draft a letter outlining the Board's concerns to all Districts; and**
- 2) Return to the Board with a review of the fees for all Districts which is to occur annually.**

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

DEPARTMENT MATTERS

- 18. 15-0219** Treasurer-Tax Collector and Chief Administrative Office, Economic Development Division, seeking conceptual approval from the Board regarding pursuit of a University of California Davis satellite (or branch campus) in El Dorado County.

Public Comment: L. Weitzman, J. Maroun, B. Gorman

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

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

- 19. 15-0074** Chief Administrative Office, Economic Development Division, recommending the Board:
- 1) Consider a Funding Agreement in the amount of \$21,000 to provide a contribution to the Tahoe Prosperity Center to promote regional sustainability through economic vitality, environmental stewardship, and healthy communities in and around the Lake Tahoe Basin; and
 - 2) If approved, authorize the Chief Administrative Officer, or designee, to execute and administer the Agreement on behalf of the County.

FUNDING: General Fund - Transient Occupancy Tax.

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

Yes: 4 - Veerkamp , Frentzen, Ranalli and Novasel

Abstained: 1 - Mikulaco

- 20. 14-0414** Supervisor Mikulaco recommending the Board conduct a public hearing and adopt Resolution **030-2015** to declare that the operation of a carnival at the El Dorado Hills Town Center by Butler Amusements, Inc. on March 26, 2015 through March 29, 2015 will not endanger the public health, safety and welfare and that the operation of a carnival does not violate any zoning or health laws or regulations. This resolution is required for the approval of the business license submitted by Butler Amusements, Inc. prior to the commencement of the carnival.

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Frentzen to Adopt Resolution 030-2015.

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

CAO UPDATE

Pamela Knorr, Chief Administrative Officer, reported to the Board that the budget meetings continue with Department heads. She is working with the Clerk of the Board for a special meeting in April of 2015 regarding the budget. She is working on a professional services agreement with MRG to get the classification and compensation study started.

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco suggested that lunch be catered at the meeting next week in El Dorado Hills to assist with team building.

Supervisor Veerkamp will be giving a State of the County at the Chamber Showcase on Friday at 11:30 a.m. He will be speaking about the County's strategic plan.

Supervisor Veerkamp reminded everyone that next week's meeting is in El Dorado Hills.

ADJOURNED AT 12:27 P.M.

CLOSED SESSION

- 21. 15-0261** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee.
Employee Organization: Unrepresented Employees. (Est. Time: 15 Min.)

This matter was Continued.

- 22. 15-0296** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 30 Min.)

No Action Reported. All five Supervisor participated.

ADDENDUM

CLOSED SESSION

- 23. 15-0257** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: County of El Dorado validation action regarding Community Facilities District No. 2014-1 (Carson Creek) Case No. PC20150111. Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisor participated.