



County of El Dorado

Board of Supervisors
Department
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Placerville, California
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Minutes - Draft 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
Don Ashton, Chief Administrative Officer
Michael J. Ciccozzi, County Counsel

Tuesday, August 16, 2016

8:00 AM

Building C Hearing Room
2850 Fairlane Court
Placerville, CA

ADDENDUM

Item 28-29 is hereby added to the Consent Calendar.

Item 30 is hereby added to Department Matters.

Item 31 is hereby added to 3:00 P.M. - TIME ALLOCATION.

Items 32-36 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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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.

8:00 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:05 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

M. Lane 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 Novasel to Adopt the Agenda and Approve the Consent Calendar with the following changes:

Pull item 6 for discussion.

Continue item 19 off calendar.

Continue item 29 to August 30, 2016.

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 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: M. Lane, L. Parlin,

16-0881 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 reported on the following:
Apple Hill opening in September.
County Transit Authority and Transportation Committee.
Sacramento Area Council of Governments Transportation Committee.
County Water Agency meeting in Tahoe.
Hazard Tree Mitigation.

Supervisor Frentzen reported on the following:
Grizzly Flats Community Service District Board meeting.

Supervisor Novasel reported on the following:
Tahoe Summit.
Tahoe Transportation District meeting.
Tahoe Youth Organization.

Supervisor Ranalli reported on the following:
California Disaster Assistance Act application.
United States Department of Agricultural.
Georgetown's Library Night Circus.

CAO UPDATE

No update.

CONSENT CALENDAR

1. **16-0815** Clerk of the Board recommending the Board approve the Minutes from the special meeting of the Board on July 26, 2016 and the regular meeting of the Board on August 2, 2016.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. **16-0765** Chief Administrative Office recommending the Board adopt and authorize the Chair to sign Resolution **134-2016** designating the Sheriff as the Deputy Director of Emergency Services.

Resolution 134-2016 was Adopted upon Approval of the Consent Calendar.

3. **16-0819** Human Resources, Risk Management Division is recommending the Board take the following actions regarding Health Plan Programs and Ancillary Employee Benefit Programs for the 2017 Plan Year:
- 1) Approve the proposed 2017 health plan rate cards and master rate sheet based on staff recommendations, the cost sharing of health premiums in the current Memoranda of Understanding with all bargaining units, the Salary and Benefits Resolution for unrepresented employees, the Retiree Health Benefits Contribution Plan and in accordance with the Patient Protection And Affordable Care Act (ACA):
 - 2) Authorize the Chief Administrative Officer or designee, to execute health and benefit program contracts subject to approval by County Counsel;
 - 3) Grant Human Resources, Risk Management Division the authority to make de minimus modifications, if necessary, to the approved health plan rate cards for the 2017 health benefits plan year as needed.

FUNDING: Risk Management Special Revenue Fund

This matter was Approved on the Consent Calendar.

4. **16-0813** Human Resources Department recommending the Board adopt and authorize the Chair to sign Resolution **137-2016** to add five (5) Deputy Sheriff I/II positions to the Personnel Allocation in order to comply with the decision of the Court of Appeal and the subsequent order from the El Dorado County Superior Court, in the case of El Dorado County Deputy Sheriff's Association v. County of El Dorado, Superior Court Case No. PC20120637, Third Appellate District Case No C075615.

FUNDING:

Resolution 137-2016 was Adopted upon Approval of the Consent Calendar.

5. **16-0736** Treasurer-Tax Collector recommending the Board adopt and authorize the Chair to sign Resolution **135-2016** granting approval to sell tax defaulted properties at public auction noting said sale to be conducted on Friday, November 4, 2016.

Resolution 135-2016 was Adopted upon Approval of the Consent Calendar.

6. **16-0763** Supervisor Novasel recommending the Board approve an extension of Building Permit 150498 for Assessor's Parcel Number 033-693-07, located at 1952 Apalachee Drive, South Lake Tahoe, pursuant to County Ordinance Section 15.16.020.

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Approve this matter and to specify that this is a two-year extension which is set to expire on October 15, 2018.

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

7. **16-0305** Supervisor Ranalli recommending the Board find that a state of emergency continues to exist in El Dorado County as a result unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 8/2/16, Item 8)

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

8. **16-0772** Health and Human Services Agency (HHS), Community Services Division, recommending the Board:
- 1) Approve the use of the Weatherization Assistance Program boilerplate agreement on an "as requested" basis in order to permit HHS to enter into weatherization assistance agreements pursuant to HHS's funding agreements from the California Department of Community Services and Development; and
 - 2) Adopt and authorize the Chair to sign Resolution **136-2016**, which authorizes the Health and Human Services Agency Director, or designee, to execute Weatherization Assistance Program boilerplate agreements.

FUNDING: Federal and State Funding.

This matter was Approved and Resolution 136-2016 was Adopted upon Approval of the Consent Calendar.

9. **16-0786** Health and Human Services Agency recommending the Board approve and authorize the Chair to sign Agreement for Services 017-S1711 with North Tahoe Fire Protection District, for the provision of ambulance transportation on behalf of the County in the designated Tahoe West Shore area of County Service Area 3, for the term September 1, 2016 through August 31, 2019, with an estimated annual cost of \$180,000, which will come from \$180,000 in estimated ambulance revenues.

FUNDING: County Service Area 3 Special Tax (Tahoe West Shore area) and fee for ambulance transportation.

This matter was Approved on the Consent Calendar.

10. **16-0762** Health and Human Services Agency, Public Health Division, recommending the Board recognize the Public Health Division and accept, with thanks, the award of \$10,000 from the Health Officers Association of California for the Communications Award for Most Innovative Campaign in a Small Jurisdiction.

FUNDING: Revenue.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 11. 16-0747** Community Development Agency, Administration and Finance Division, recommending the Board consider the following:
- 1) Approve the continuation of five (5) current perpetual contracts and one (1) current perpetual purchase order:
 - a) Agreement 428-S0110 with the State of California Department of Transportation to provide signal maintenance service;
 - b) Agreement 821-S0710 with Squarerigger, Inc., to provide annual software support and maintenance;
 - c) Agreement 427-M0810 for the Capital SouthEast Connector Joint Powers Authority for the planning, design, and construction of the Elk Grove-Rancho Cordova-El Dorado Connector;
 - d) Agreement 098-O1111 with the State of California Board of Equalization for electronic filing of reporting sales tax collected;
 - e) Agreement 213-S0910 with Trans Union, LLC, to provide consumer reporting services; and
 - f) Agreement 838-O0910 with Viathor, Inc., to provide annual software support and maintenance for a specialized software program used for bridge analysis and design.
 - 2) Authorize the Purchasing Agent to establish purchase orders as necessary to process associated payments for Fiscal Year 2016/17.

FUNDING: Road Fund, Community Development Block Grants, and the Housing and Economic Development Program Income Funds. (Federal Funds)

This matter was Approved on the Consent Calendar.

- 12. 14-1331** Community Development Agency, Development Services Division, submitting for approval Final Map (TM14-1515-F) for Wilson Estates Subdivision creating a total of 28 residential lots, ranging in size from 0.392 acre to 1.0 acre, and 5 lettered lots on property identified by Assessor's Parcel Numbers 126-070-22, 126-070-23, and 126-070-30, located on the north side of Green Valley Road approximately 3,000 feet east of the intersection with Silva Valley Road in the El Dorado Hills area, and recommending the Board consider the following:
- 1) Approve the Final Map for the Wilson Estates Subdivision; and
 - 2) Approve and authorize the Chair to sign the Agreement to Make Subdivision Improvements. (Supervisory District 1)

FUNDING: N/A (Developer-funded subdivision improvements)

This matter was Approved on the Consent Calendar.

13. 15-1238

Community Development Agency, Transportation Division, recommending the Board:

- 1) Accept the subdivision improvements for Serrano Village M2 Phase 1, Unit 1, as complete;
- 2) Reduce Performance Bond 0638894 to \$727,349.16, which is ten percent (10%) of the total cost of the subdivision improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one (1) year if no claims are made;
- 3) Hold Laborers & Materialmens Bond 0638894 in the amount of \$3,636,745.79 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. (No Federal Funds)

This matter was Approved on the Consent Calendar.

14. 15-1239

Community Development Agency, Transportation Division, recommending the Board:

- 1) Accept the subdivision improvements for Serrano Village M2 Phase 1, Unit 2, as complete;
- 2) Reduce Performance Bond 0638894 to \$727,349.16, which is ten percent (10%) of the total cost of the subdivision improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one (1) year if no claims are made;
- 3) Hold Laborers & Materialmens Bond 0638894 in the amount of \$3,636,745.79 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. (No Federal Funds)

This matter was Approved on the Consent Calendar.

- 15. 16-0338** Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the County Service Area 5 Erosion Control Project, Contract PW 16-31118, CIP 95157, P&C 083-C1799:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 4, 2016;
 - 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management; and
 - 3) Authorize the Community Development Agency Director to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

FUNDING: United States Forest Service Grant (76%) (Federal Funds), Tahoe Regional Planning Agency Water Quality Mitigation Funds (3%), and County Service Area 5 Assessment Funds (21%).

This matter was Approved on the Consent Calendar.

- 16. 16-0738** Community Development Agency, Transportation Division, recommending the Board consider the following relating to United States Forest Service revenue for Environmental projects in the Lake Tahoe Basin:
- 1) Retroactively approve and accept Domestic Grant 11-DG-11051900-031 for \$2,200,000 from the United States Forest Service;
 - 2) Retroactively ratify the Transportation Director's signature on Domestic Grant 11-DG-11051900-031;
 - 3) Retroactively approve and ratify staff signatures on Modifications 1 through 5 to Domestic Grant 11-DG-11051900-031, including Modification 4, which increased the original Grant amount of \$2,200,000 by \$91,260, to the current Grant amount of \$2,291,260; and
 - 4) Authorize the Community Development Agency Director to execute any future modifications to Domestic Grant 11-DG-11051900-031 that do not increase the current Grant amount of \$2,291,260.

FUNDING: United States Forest Service Grant Funds (100%).
(Federal Funding)

This matter was Approved on the Consent Calendar.

17. 16-0345

Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution of Vacation **133-2016** for Abandonment of Easement 16-007 to abandon a public utility easement on Lot 266 of "Fairchild Village Unit No. 4", recorded at Book H of Subdivisions at Page 23, identified as Assessor's Parcel Number 125-722-06.

FUNDING: N/A

Resolution 133-2016 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 18. 11-0878** Sheriff's Office (Lessee) recommending the Board:
- 1) Approve and authorize the Chair to sign Option Letter 1 to Lease Agreement 134-L1211 with Charles Freeland and Cynthia Freeland (Lessors), Trustees of the Freeland Family Trust, extending the term for an additional three years commencing on September 20, 2016 and ending on September 19, 2019, pursuant to Article 4 of the Agreement; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Lease Agreement 134-L1211, including future Options and amendments contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund/Boating & Waterways Grant.

This matter was Approved on the Consent Calendar.

- 19. 16-0806** Sheriff's Office recommending the Board accept with thanks a donation from the owners of Back Forty Texas BBQ Restaurant in Shingle Springs, who donated a dinner valued at approximately \$300 to Staff who were working in the Emergency Operations Center during the Trailhead fire.

FUNDING: N/A

This matter was Continued off Calendar upon Approval of the Consent Calendar.

- 20. 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. 8/2/16, Item 23)

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

21. 16-0846 Community Development Agency, Administration and Finance Division, recommending the Board receive and file a Traffic Impact Mitigation Fee Program Report, providing an update on the annual revenues and expenditures of the Program, the Capital Improvement Programs funded with Traffic Impact Mitigation Fees, and costs associated with administering the Program (est. time: 20 min).

FUNDING: Traffic Impact Mitigation Fees (No Federal Funds)

Received and Filed.

22. 16-0836 Chief Administrative Office recommending the Board of Supervisors consider the following:
1) Receive and file the Initial Draft Response to the 2015/16 Grand Jury Final Report; and
2) Provide direction to staff regarding any changes to include with the Final Response.

FUNDING: N/A

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to:

- 1) Receive and file the Initial Draft Response to the 2015/16 Grand Jury Final Report; and**
- 2) Direct the Chief Administrative Office to return to the Board within the next six months with a recommendation to begin the process of convening a Charter Review Committee. The Charter Review Committee will be convened within the next twelve months.**

Yes: 4 - Veerkamp, Frentzen, Ranalli and Novasel

Noes: 1 - Mikulaco

23. 16-0777

Chief Administrative Office recommending the Board:

- 1) Approve the **Introduction** (First Reading) of Ordinance **5040** extending Revenue and Taxation Code Section 69.5 (Proposition 90/110) authorizing receipt by the County of El Dorado of inter-county tax base year transfers; and
- 2) Waive full reading, read by title only and continue this matter to August 30, 2016 for **Final Passage** (Second Reading). (Refer 6/26/16, Item 52)(Cont. 8/2/16 Item 32)

FUNDING: A \$500.00 application is charged by the County of El Dorado Assessor's Office to cover the Office's cost associated with the research and processing of Prop 90 and 110 applications.

Public Comment: K. Beal, B. Shattuck, L. Brent-Bumb, S. Taylor, C. Acuna, K. DeGunther, L. Parlin

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

- 1) **Allow Ordinance 4832 to expire; and**
- 2) **Allow the homebuyers who have filed the appropriate paperwork to receive the benefits of Ordinance 4832 prior to the September 30, 2016 expiration date.**

Yes: 2 - Mikulaco and Frentzen

Noes: 3 - Veerkamp, Ranalli and Novasel

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and Continue Ordinance 5040 to August 30, 2016 for Final Passage (Second Reading). Direction was given to staff to return annually with a report to the Board regarding the economic impact of this Ordinance.

Yes: 3 - Veerkamp, Ranalli and Novasel

Noes: 2 - Mikulaco and Frentzen

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

- 24. 16-0775** Child Support Services recommending the Board approve and authorize the Chair to sign a Proclamation designating August 2016 as Child Support Awareness Month in El Dorado County.

FUNDING: No Net County Cost associated with this action.

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

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

2:00 P.M. - TIME ALLOCATION

25. 16-0629

Community Development Agency, Transportation Division, recommending the Board consider the following:

- 1) Adopt the Draft Feasibility Study for Public Access to the South Fork of the American River at Mosquito Road Bridge; and
- 2) Direct Transportation staff to continue maintenance on the remaining segments of Mosquito Road in the event the Upper Level Alternative is approved for the proposed Mosquito Road Bridge at South Fork American River Project, CIP 77126 (est. time: 1 hour).

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

Public Comment: T. Simpsenson, D. Simpkin, A. Anderson, K. Payne, V. Jacobson, N. Rangel, K. Gershan, G. Pratt, C. Downs, H. Weiland, D. Herrington

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and not limit options for the Project moving forward.

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

26. 16-0660

Community Development Agency, Long Range Planning Division, recommending the Board hold a workshop and direct staff to:

- 1) Prepare a Cultural Resources Ordinance pursuant to General Plan Policy 7.5.1.1;
- 2) Substantially update the Guidelines for Cultural Resource Studies approved by the Board of Supervisors on August 17, 1999, to be in compliance with the County's new Cultural Resources Ordinance and changes to the California Environmental Quality Act and other related federal, state and local statutes, including the County's public noticing procedures, and updates to the California Office of Historic Preservation's Archaeological Resources Management Reports: Recommended Contents and Format; and
- 3) Amend the General Plan to remove Policy 7.5.1.5, formation of a Cultural Resources Preservation Commission, which was disbanded by the Board of Supervisors on January 28, 2003. (Est. Time: 1 Hr.)

FUNDING: N/A

Public Comment: K. Petree, M. Roberts, K. Payne, M. Cory, J. Speck, S. Taylor.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to:

- 1) Prepare a Cultural Resources Ordinance pursuant to General Plan Policy 7.5.1.1;**
- 2) Substantially update the Guidelines for Cultural Resource Studies approved by the Board of Supervisors on August 17, 1999, to be in compliance with the County's new Cultural Resources Ordinance and changes to the California Environmental Quality Act and other related federal, state and local statutes, including the County's public noticing procedures, and updates to the California Office of Historic Preservation's Archaeological Resources Management Reports: Recommended Contents and Format; and**
- 3) Explore options which may include amendments to General Plan Policy 7.5.1.5, formation of a Cultural Resources Preservation Commission, which was disbanded by the Board of Supervisors on January 28, 2003.**

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

27. 16-0760

Community Development Agency, Long Range Planning Division, recommending the Board direct staff to:

- 1) Prepare a Scenic Corridor Ordinance building upon the 2008 Public Review Draft Scenic Corridor Ordinance, incorporating additional General Plan requirements outlined in the Long Range Planning Staff Report; and
- 2) Prepare Scenic Corridor implementation standards and guidelines (e.g., requirements for project site review, ridgeline development standards, etc.) to be adopted by Board resolution. (Est. time: 1 Hr.)

FUNDING: N/A

Public Comment: S. Taylor, K. Beal, L. Brent-Bumb, B. Smart, L. Parlin

A motion was made by Supervisor Veerkamp, seconded by Supervisor to Approve staff's recommendation as demonstrated in Attachment B, slides 23 through 26 and outlined below.

- 1) Prepare a Scenic Corridor Ordinance;**
- 2) Prepare Scenic Corridor implementation standards and guidelines;**
- 3) Preferred Criteria for Designated Scenic Corridors (see tables on slides 24, 25);**
- 4) Present the El Dorado County Planning Commission with an informational agenda item summarizing this presentation and the Board's direction;**
- 5) Prepare a draft Resolution of Intention, preliminary draft of the ordinance and implementation standards and guidelines;**
- 6) Prepare environmental review checklist to determine the level of environmental review necessary; and**
- 7) Return to the Board with: A public review draft of a proposed ordinance; Proposed implementation standards and guidelines; Recommendation for environmental document.**

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

ADJOURNED AT 6:05 P.M.

ADDENDUM

CONSENT CALENDAR

28. 16-0847 Auditor-Controller recommending the Board adopt and authorize the Chair to sign Resolution **138-2016** establishing the 2016/17 rate of the Tax Levy for the taxing agencies in the County of El Dorado.

Resolution 138-2016 was Adopted upon Approval of the Consent Calendar.

29. 14-0133 Chief Administrative Office, Facilities Division, pursuant to the direction given regarding the Public Safety Facility Design Build construction project delivery during the Board meeting of July 11th, 2016, recommending the Board authorize the Purchasing Agent (subject to final County Counsel and Risk Management approval) to sign Amendment II to Agreement for Services 301-S1611 with Architectural Nexus, Inc. to increase compensation by \$577,829, for an amended total not-to-exceed of \$952,829, and extend the term an additional one year to include:

- 1) Phase Four: Bridging Documents;
- 2) Phase Five: Design Build Team Prequalification and Team Selection;
- 3) Phase Six: Construction Document Review / Design Intent Review;
- 4) Phase Seven: Design Build Construction support; and
- 5) Phase Eight: Facility Commissioning and Project Closeout.

FUNDING: Accumulative Capital Outlay Fund.

This matter was Continued to August 30, 2016 upon Approval of the Consent Calendar.

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

- 30. 16-0867 County Counsel recommending consideration of Conflict of Interest Issues associated with the Board's anticipated action(s) in regards to the matter of Ronald V. Briggs and Norma Santiago v. County of El Dorado et al., Placer County Superior Court Case Number SCV-0036836 including possible random selection of two Board Members having a conflict of interest to make a quorum to take action in regards to this matter. (Est. Time: 30 Min.)

FUNDING: N/A

Item 30 was discussed and trailed to later in the day.

A random selection of two Board members was made to make a quorum to take action in regards to this matter. The Board members randomly selected were Supervisors Frentzen and Mikulaco. Supervisor Veerkamp was selected by default as he waived his salary and benefits upon taking office in 2013 and therefore does not have a conflict of interest in this matter.

This matter pertains to Item 33 (Legistar 16-0072).

3:00 P.M. - TIME ALLOCATION

- 31. 16-0857 Supervisor Ranalli recommending the Board receive a presentation from Girl Scout Brownie Troop 120 on the Troop's "Blue Pride of the Divide" project to display blue ribbons throughout the Georgetown Divide to demonstrate community support for local law enforcement.

Public Comment: J. D'Agostini, E. Hoyie

Received and Filed.

CLOSED SESSION (8:00 A.M.)

- 32. 16-0864 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Complaint for Violations of the Civil Rights in Ray Nutting, an individual vs. EL DORADO COUNTY; Ron Mikulaco; Brian Veerkamp; Ron Briggs; Norma Santiago; Ed Knapp; Pamela Knorr; Does 1-25 inclusive; United States District Court for the Eastern District of California Case 2:16-CV-01235-GEB-CKD. Number of potential cases: (1). (Est. Time: 15 Min.)

All five Supervisors participated. The Board authorized the defense of the lawsuit Nutting vs El Dorado County and the retention of outside counsel Foster Employment Law to represent former Supervisors Briggs and Santiago and the Caulfield Law Firm to represent the remaining defendants.

- 33. 16-0072** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code section 54956.9(d)(1). Title: Ronald V. Briggs and Norma Santiago v County of El Dorado, and Does 1 through 3, inclusive. Case No. PC20150518. (Est. Time: 15 Min.)
- Supervisors Veerkamp, Frentzen and Mikulaco were present. The Board authorized the filing of a motion for new trial of clarification.**
- 34. 16-0839** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Alliance for Responsible Planning, A California Non-Profit Public Benefit Corporation v. El Dorado County Board of Supervisors, County of El Dorado, Case No. PC20160346 Number of potential cases: (1). (Est. Time: 15 Min.)
- All five Supervisors participated. In the matter of Alliance for Responsible Planning vs El Dorado County, the Board granted authority to defend the action in house with County Counsel.**
- 35. 16-0820** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: El Dorado Council.ORG and El Dorado Council, Inc. v. County of El Dorado and El Dorado County Board of Supervisors, El Dorado County Superior Court Case Number PC20160333. Number of potential cases: (1). (Est. Time: 10 Min.)
- All five Supervisors participated. In the matter of El Dorado Council.ORG vs El Dorado County, the Board authorized the defense initially by County Counsel.**
- 36. 16-0842** **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director of Health & Human Services Agency. (Est. Time: 15 Min.)
- All five Supervisors participated. The matter of the Health & Human Services Agency Director appointment was Continued to 1:30 p.m. this afternoon. The Board reconvened in the matter of the Health & Human Services Agency Director appointment.**
- By an unanimous vote (5-0), the Board appointed Patricia Charles-Heathers as Director of the Health & Human Services Agency effective Wednesday, August 17, 2016 at step four of the salary schedule at \$14,497/per month.**