



County of El Dorado

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

Minutes - Final Board of Supervisors

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

James S. Mitrisin, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
Michael J. Ciccozzi, County Counsel

Tuesday, July 18, 2017

8:00 AM

330 Fair Lane, Placerville, CA

ADDENDUM

Item 55 is hereby added to the Consent Calendar.

Item 56 is hereby added to Closed Session.

Vision Statement

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

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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. Where applicable, the principal party on each side of an issue 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 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 SESSION

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

9:12 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

Pastor Craig Klatt from the Camino Adventist Church gave the invocation.
Supervisor Hidahl led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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

Pull Items 6 and 19 for discussion.

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

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.

17-0816 OPEN FORUM (See Attachment)

Public Comment: K. Thomas, K. Heintzman, April, S. Burns, M. Bravo, A. Garcia, M. Perez, R. Romero, D. Dunning, L. Rodman, D. Dryer, J. Martin, J. Johnston, N. Hendricks, H. Russell, K. O'Brian, J. Copeland, L. Anzini, M. Dion-Perry, K. Stemly, M. Easterling, V. Vale, L. Parlin, S. Taylor

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.

CONSENT CALENDAR

1. **17-0737** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of June 27, 2017.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. **14-0133** Chief Administrative Office, Facilities Division, recommending the Board authorize the Purchasing Agent to sign Amendment IV to Agreement for Services 301-S1611 with Architectural Nexus, Inc., to increase compensation by \$63,500, for an amended not to exceed of \$1,008,649, to expand the scope of work for Phase Five Design Criteria Consultant Services and include contingency services on an as-needed basis.

FUNDING: Accumulative Capital Outlay Fund & United States Department of Agriculture.

This matter was Approved on the Consent Calendar.

3. **15-1453** Chief Administrative Office, Procurement and Contracts Division and Facilities Division, recommending the Board authorize the Purchasing Agent, or designee, to:
- 1) Execute Amendment III to Agreement for Services 316-S1611 with Mother Lode Van & Storage to add flexibility to the fee schedule for potential unexpected needs; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for services 316-S1611, including future amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

This matter was Approved on the Consent Calendar.

4. **17-0161** Chief Administrative Office, Facilities Division, recommending the Board receive and file an update on the Public Safety Facility.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

5. **16-1000** Clerk of the Board recommending the Board adopt and authorize the Chair to sign Resolution **114-2017** amending the 2017 Board of Supervisors regular meeting calendar to establish August 29, 2017 as a regular meeting date and cancel the August 22, 2017 regular meeting date as the Tahoe Summit is taking place on August 22, 2017 and it is important Board members have the opportunity to participate.

Resolution 114-2017 was Adopted upon approval of the Consent Calendar.

6. **17-0753** Clerk of the Board, based upon the recommendation of the Mental Health Commission, recommending the Board make the following appointment to the Mental Health Commission:
Appoint Norma Santiago, South Lake Tahoe Council Commission Member (Vacant), Term Expiration 01/01/2018.

Public Comment: J. Abram, S. Taylor

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to disapprove of the Appointment.

As the vote was 2-2, the appointment was not approved. No other motions were proposed.

Yes: 2 - Veerkamp and Ranalli

Noes: 2 - Frentzen and Hidahl

Abstained: 1 - Novasel

7. **14-1234** Elections Department recommending the Board approve the continued use of perpetual Agreement 041-S1410 with Data Information Management Systems, LLC, (DIMS) for the one year term beginning August 1, 2017 through July 31, 2018, for a total amount of \$63,962, for ongoing Software License and Maintenance Support fees for election data management systems.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

8. **17-0660** Elections Department recommending the Board declare the results of the official canvass of the June 6, 2017 Marble Mountain Community Services District Mail Ballot Election conducted by the Recorder-Clerk-Registrar of Voters.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

9. **16-0753** FENIX Executive Committee and Project Manager recommending the Board receive and file a status update on implementation of Enterprise Resource Program.

This matter was Approved on the Consent Calendar.

10. **17-0684** Human Resources recommending the Board authorize the Chair to sign Resolution **107-2017**, Personnel Allocation Resolution, as amended to correct an error in the Job Class Number (JCN) from 0144 to 0143.

FUNDING: General Fund.

Resolution 107-2017 was Adopted upon approval of the Consent Calendar.

11. **17-0518** Information Technologies Department recommending the Board:
1) Approve and adopt the General Network Usage Policy A-19; and
2) Rescind and replace the existing Board Policy A-19-Computer and Network Resource Usage Policies and Standards Guide and the supporting documents (CNUG-General Use and the CNUG-IT Use) with this revised policy, in order to protect the integrity, security and privacy of County data, network resources and computers

FUNDING: N/A

This matter was Approved on the Consent Calendar.

12. **17-0685** Treasurer-Tax Collector recommending the Board approve the continuation of the following perpetual agreements for a total of \$117,460 for the Fiscal Year 2017/18 for ongoing maintenance and support for equipment, software licensing and treasury services as follows:

- 1) Bloomberg LP;
- 2) Bank of New York Western Trust;
- 3) Diebold Inc;
- 4) HP Enterprises Services LLC;
- 5) Loomis Fargo adn Company;
- 6) NCR Corporation;
- 7) Professional Consultancy International (PCI LLC);
- 8) SymPro Inc; and
- 9) Columbia Ultimate Business Systems.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

13. 15-1089

Supervisor Ranalli recommending the Board:

- 1) Direct the Chief Administrative Officer to work in coordination with the Treasurer/Tax-Collector, Assessor, District Attorney, the Health & Human Services Agency's Adult Protective Services and Senior Legal Division and other appropriate departments as determined by the CAO to provide the Board with a report relative to the Property Assessed Clean Energy (PACE) financing programs that were approved by the Board on September 15, 2015, and September 22, 2015;
- 2) Direct that this report include the number of program participants; benefits and any unanticipated risks/consequences of the programs; and
- 3) Return to the Board for discussion of the matter within 120 days.

This matter was Approved on the Consent Calendar.

14. 16-0305

Supervisor Ranalli recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 6/27/17, Item 11)

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 15. 17-0645** Health and Human Services Agency, recommending the Board:
- 1) Approve and authorize the Chair to sign Agreement for Services 071-S1811 with Victor Treatment Centers, Inc., for the provision of “as requested” Specialty Mental Health Services for minors, for the term September 1, 2017 through August 31, 2020, with a maximum contractual obligation of \$150,000; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 071-S1811, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.
- FUNDING:** Federal and State Funding.
- This matter was Approved on the Consent Calendar.**
- 16. 17-0673** Health and Human Services Agency, recommending the Board:
- 1) Accept a grant application award in the amount of \$1,199 from the El Dorado Community Foundation, Friends of Seniors Fund;
 - 2) Approve and authorize the Chair to sign funding agreement 114-F1811 with El Dorado Community Foundation, Friends of Seniors Fund; and
 - 3) Authorize use of the grant award for the purchase of an automatic external defibrillator in the Placerville Senior Center.
- FUNDING:** Grant from El Dorado Community Foundation - Friends of Seniors Fund.
- This matter was Approved on the Consent Calendar.**
- 17. 17-0734** Health and Human Services Agency, recommending the Board:
- 1) Accept a grant application award in the amount of \$5,000 from the Alzheimer’s Foundation of America;
 - 2) Authorize use of the grant award to offer Adult Day Services scholarships to eligible clients; and
 - 3) Delegate authority to Director of Health and Human to sign award agreement, if any, contingent on approval by County Counsel and Risk.
- FUNDING:** Grant from Alzheimer’s Foundation of America.
- This matter was Approved on the Consent Calendar.**

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 18. 09-0307** Community Development Services, Department of Planning and Building, recommending the Board authorize the Chair to sign a letter to the Tahoe Regional Planning Agency Governing Board recommending the appointment of Brendan Ferry, a Long Range Planning Principal Planner, to the Agency's Advisory Planning Commission, to participate as El Dorado County's designated alternate and replacement for Roger Trout, Interim Director of Planning and Building.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 19. 17-0044** Community Development Services, Department of Planning and Building, recommending the Board:
- 1) Approve and authorize the Chair to sign Agreement for Services 511-S1711 with ICF Jones & Stokes, Inc., an ICF International Company, for an amount not to exceed \$298,615, to generate an update for the Ecological Preserve Fee Program that would update the Rare Plant Mitigation In-Lieu Fee Program established in 1998, with a term to become effective upon execution by both parties and expiring three years thereafter; and
 - 2) Direct that this Agreement be funded out of the Ecological Preserve Endowment Fund, with any fee schedule which results from the Ecological Preserve Fee Program Update to include a built-in factor for reimbursing the Fund for expenditures incurred under this Agreement.

FUNDING: Ecological Preserve (Rare Plant) Endowment Fund. (Local Funding)

Public Comment: S. Taylor

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

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

- 20. 13-1347** Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the Offsite Road Improvement Agreement for Green Valley Convenience Center PD12-0003, Agreement 17-54664, with Cameron Park Petroleum, Inc., for construction of road improvements on Green Valley Road and Sophia Parkway in the El Dorado Hills area with the Engineer's Estimate, the cost to complete the work is \$249,885.88, to be paid for by the Developer.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

- 21. 14-1220** Community Development Services, Department of Transportation, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Sierra Nevada Construction, Inc. for the application of slurry seal as directed in Work Order 5; and
 - 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation after the one-year guarantee period.

FUNDING: Zone of Benefit Special Taxes (Local Funds), Road Fund Discretionary. (Local Funds)

This matter was Approved on the Consent Calendar.

- 22. 15-0823** Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 053-S1611 with WRECO, increasing the not-to-exceed amount by \$150,000 for a total of \$450,000, with no increase to the rates or term, to perform on-call geotechnical, geological, hydraulic, and hydrological engineering support services for various Capital Improvement Program projects, including those resulting from the storms of 2017.

FUNDING: Various Capital Improvement Program Funding Sources, including Federal, State, and Local Funds.

This matter was Approved on the Consent Calendar.

- 23. 17-0353** Community Development Services, Department of Transportation, recommending the Board consider the following pertaining to the Country Club Heights Erosion Control Project, Contract PW 17-31166, CIP 95191, P&C 037-C1899:
- 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: United States Forest Service Grant. (Federal Funding)

This matter was Approved on the Consent Calendar.

- 24. 17-0494** Community Development Services, Department of Transportation recommending the Board reject the two (2) bids received for the Silva Valley Parkway Class 1 and 2 Bike Lanes (Harvard to Green Valley) Project, Contract PW 15-31109, CIP 72310, P&C 004-C1699. The two (2) bids received were approximately \$460,000 over the Engineer's Estimate and Capital Improvement Program (CIP) budget:

FUNDING: Congestion Mitigation and Air Quality Program (95%) and Federal State Block Grant Program (5%). (Federal Funds)

This matter was Approved on the Consent Calendar.

- 25. 17-0602** Community Development Services, Department of Transportation, recommending the Board authorize the Chair to sign the Federal Apportionment Exchange and State Match Program Agreement X17-5925(159) with the California Department of Transportation, allowing direct exchange with the State of \$359,164 in Fiscal Year 2016/17 Regional Surface Transportation Program Exchange Funds and allowing for the disbursement of \$100,000 in State Match Funds (total funding to be received is \$459,164).

FUNDING: Regional Surface Transportation Program Funds. (100% - State)

This matter was Approved on the Consent Calendar.

26. 17-0612

Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the Agreement 080-O1811 for Sale of Mitigation Credits with Westervelt Ecological Services, LLC, as owner of the Cosumnes Flood Plain Mitigation Bank, for the sale of 0.03 in Floodplain Riparian Habitat credits to the County of El Dorado for a purchase price of \$2,550, as necessary mitigation for the construction of the New York Creek Trail East - Phase 2 Project, CIP 72308.

FUNDING: Congestion Mitigation and Air Quality Program. (100% Federal)

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS**27. 11-0058**

District Attorney recommending the Board approve and authorize the continuation of perpetual agreements and software licenses with the following:

- 1) Department of Justice, Agreement 01-098-01(139-S0611), for laboratory analysis at an estimated annual amount of \$60,000;
- 2) Accurint, Agreement 581-S1210, to conduct public and commercial database searches for attorneys and investigators, at an estimated annual amount of \$10,080;
- 3) Constellation Justice Systems, Agreement 317-S0111 for case tracking, document production, scheduling, management and operational reporting, legal support and research tracking, as well as victim/witness services for the annual not-to-exceed amount of \$100,000;
- 4) Lexipol, LLC, Agreement 043-S1611, authorizing the Chair to execute Amendment II for policy manual update guidance based on the latest changes in federal and state statutes, regulations, best practices and case law for the annual not-to-exceed amount of \$2,750; and
- 5) Approve and authorize the District Attorney to execute Agreement 067-S1811 with TransUnion Risk and Alternative Data Solutions, Inc. for a TLOXP access subscription for the purpose of investigative research in the estimated annual amount of \$1,800.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

28. 17-0769

District Attorney recommending the Board consider the following:

- 1) Approve and authorize the Purchasing Agent to execute Amendment I to Agreement 521-S1710 with Capital Tech Solutions for a period of July 18, 2017 through June 27, 2018, increasing compensation by \$64,000 for a total compensation of \$68,000 to provide software development services for the Victim Witness application; and
- 2) Authorize the Purchasing Agent to execute any additional amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: California Office of Emergency Services Victim/Witness Assistance Program Fund and Department of Justice Asset Forfeiture Funds.

This matter was Approved on the Consent Calendar.

- 29. 17-0071** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 6/27/17, Item 39)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 30. 17-0184** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms, starting on February 6th, throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 6/27/17, Item 40)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 31. 16-0988** Probation Department in collaboration with the El Dorado Community Corrections Partnership, recommending the Board approve and authorize the following:

1) Approve and authorize the Chair to sign Funding Agreement 532-F1711, superseding Agreement for Services 028-S-1810, with Progress House, Inc. in the amount of \$20,000 for the grant period of August 1, 2016 through June 30, 2018 as part of the Community Recidivism Reduction Grant as specified in Penal Code 1233.10; and 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Funding Agreement 532-F1711, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: 100 % Countywide Special Revenue Fund - Board of State and Community Corrections Recidivism Reduction Grant.

This matter was Approved on the Consent Calendar.

32. 17-0663

Probation Department recommending the Board:

- 1) Authorize the Chair to sign Agreement 118-S1811 with AutoMon, LLC in the amount of \$170,486.96, term of July 24, 2017 through July 23, 2020, for the maintenance and support of the Probation Department's case management software; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 118-S1811, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund 100%.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION**33. 17-0489**

Chief Administrative Office, Facilities Division, recommending the Board:

- 1) Receive written proposals related to the Request for Proposal to lease the property located at 542 Main Street, Placerville, CA;
- 2) Authorize the Chief Administrative Office to conduct a review and evaluation of the proposals and return to the Board with a lease recommendation on August 8, 2017; and
- 3) Authorize staff to publish a notice of the time and place of the hearing to adopt an ordinance authorizing the lease. (Est. Time: 20 Min.)

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

- 1) Receive the sole written proposal related to the Request for Proposal to lease the property located at 542 Main Street, Placerville, CA;**
- 2) Authorize the Chief Administrative Office to conduct a review and evaluation of the proposal and return to the Board with a lease recommendation on August 15, 2017; and**
- 3) Authorize staff to publish a notice of the time and place of the hearing to adopt an ordinance authorizing the lease.**

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

34. 16-0704

Probation Department requesting the Board:

- 1) Receive a Presentation on Probation Supervision Week; and
- 2) Approve and authorize the Chair to sign a Proclamation recognizing July 16-22, 2017 as Probation Supervision Week in the County of El Dorado. (Est. Time: 5 Min.)

FUNDING: N/A

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

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

11:00 A.M. - TIME ALLOCATION

- 35. 17-0756** Supervisor Ranalli recommending the Board approve and authorize all five Board members to sign a Proclamation in recognition of the El Dorado County Farm Bureau's 100th Anniversary and their long-standing commitment to the Farm Bureau's Mission to "Protect, promote and enhance the economic opportunities and long-term viability for El Dorado County farmers, ranchers and foresters." (Est. Time: 10 Min.)

Supervisor Ranalli read the Proclamation

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Approve and Authorize the Chair to sign the Proclamation.

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

- 36. 17-0755** Supervisor Frentzen recommending the Board approve and authorize the Chair to sign a Proclamation recognizing Mark Almer for his ten years of outstanding leadership and service as Chair of the Grizzly Flats Fire Safe Council and for his many contributions to the Grizzly Flats Community. (Est. Time: 10 Min.)

Supervisor Frentzen read the Proclamation.

A motion was made by Supervisor Frentzen, seconded by Supervisor Veerkamp to Approve and Authorize the Chair to sign the Proclamation.

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

- 37. 17-0691** Supervisor Novasel recommending the Board approve a Proclamation honoring Ed Miller for his 30 years of outstanding service on the Civil Service Commission. (Est. Time: 10 Min.)

Public Comment: E. Miller, R. Peshon, K. Cater, M. Ciccozzi

Supervisor Novasel read the Proclamation.

A motion was made by Supervisor Novasel, seconded by Supervisor Frentzen to Approve and Authorize the Chair to sign the Proclamation.

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

38. 11-0666

HEARING - Health and Human Services Agency recommending the Board:

- 1) Conduct a public hearing to consider public comment, if any, on the maintenance of current fixed benefit assessments established in County Service Area 3; and
- 2) Adopt and authorize the Chair to sign Resolution **112-2017** thereby establishing that the fixed benefit assessments shall be maintained at the current fee level to support emergency medical services in County Service Area 3, South Shore Area, on improved parcels within the Service Area (except for the Tahoe West Shore Zone of Benefit) for Tax (Fiscal) Year 2017/18. (Est. Time: 15 Min.)

FUNDING: County Service Area 3 Benefit Assessments.

Public Comment: B. Davis

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Adopt Resolution 112-2017.

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

39. 17-0582

HEARING - Community Development Services, Environmental Management Department recommending the Board conduct a hearing to consider adopting and authorizing the Chair to sign Resolution **113-2017** confirming the annual report of delinquent mandatory refuse collection fees for the South Tahoe Refuse Company, Inc., establishing the delinquent amounts as special assessments for the 2017/18 fiscal year, and providing for the collection thereof in the same manner as the County's ad valorem property taxes. (Est. Time: 15 Min.)

FUNDING: Community Development Services charges for service.

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Adopt Resolution 113-2017 as amended (removing Bruce Davis from the list).

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

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

- 40. 17-0759** Chief Administrative Officer recommending the Board appoint Greg Stanton to the position of Director of Environmental Management at step 5 of the salary range (annual salary of \$153,420) effective immediately. (Est. Time: 5 Min.)
- A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter.**
- Yes:** 4 - Veerkamp, Ranalli, Novasel and Hidahl
- Noes:** 1 - Frentzen
- 41. 17-0722** County Counsel recommending the Board adopt and authorize the Chair to sign Resolution **111-2017** to clarify an ambiguity in Resolutions 180-2013 and 235-2014 regarding prior service credit to Department Heads for service earned in another city or county. (Est. Time: 5 Min.)
- FUNDING:** N/A
- A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Adopt Resolution 111-2017.**
- Yes:** 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl
- 42. 16-1014** Community Development Services, Planning and Building Department, recommending the Board receive and file a presentation on implementation of the California Department of Forestry and Fire Protection State Responsibility Area Prevention Fund and Tree Mortality Grant, to help El Dorado County senior citizens with income limitations to remove dead and dying trees that endanger their residences. (Est. Time: 10 Min.).
- FUNDING:** California Department of Forestry and Fire Protection State Responsibility Area Prevention Fund and Tree Mortality Grant (81%) and General Fund (19%)
- No formal action. Received and filed.**

43. 17-0698

Supervisor Novasel, in coordination with Community Development Services, Transportation Department and the El Dorado County Sheriff's Office, recommending the Board consider the following pertaining to traction control devices:

- 1) Approve the **Introduction** (First Reading) of Ordinance **5054** "Traction Control Devices" to amend Chapter 10.08 - Traffic Movement of Title 10 -Vehicle and Traffic, of the County of El Dorado Code of Ordinances in accordance with Board of Supervisors Policy A-3 "Ordinances - New or Amended"; and
- 2) Waive full reading of the Ordinance, read by title only and Continue to July 25, 2017 for **Final Passage** (Second Reading). (Est. Time: 5 Min.)

FUNDING: Road Fund.

A motion was made by Supervisor Novasel, seconded by Supervisor Frentzen to Approve this matter and continue Ordinance 5054 to July 25, 2017 for Final Passage (Second Reading).

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

2:00 P.M. - TIME ALLOCATION

(see next page)

44. 12-1203

HEARING - To consider the Planning Commission's recommendations on the General Plan Biological Resources Policy Update, Oak Resources Management Plan, and Oak Resources Conservation Ordinance, collectively the proposed Project, consisting of specific revisions to biological resources objectives, policies, and implementation measures included in the Conservation and Open Space Element of the County's General Plan, adoption of the Oak Resources Management Plan, and adoption of an Oak Resources Conservation Ordinance.

Planning staff is requesting the Board provide direction on each of the Planning Commission's recommendations, as follows:

- 1) Add language to Ordinance Section 130.39.080 (Enforcement) from the Oak Resources Management Plan Maintenance and Monitoring Program;
- 2) Redefine Heritage Oak Tree diameter size to 20 inches (from 36 inches, Oak Resources Management Plan, Section 6.0, Definitions);
- 3) Change bi-annual reporting to annual reporting and include expenses and income in Ordinance Section 130.39.090.B (Bi-Annual Reporting - Oak Woodland Conservation Fund Fees);
- 4) Increase in-lieu fee for Oak Woodland based on acquisition land values in El Dorado County (Oak Resources Management Plan, Section 3.0, In-Lieu Fee);
- 5) Enforcement of mitigation monitoring and reporting needs to be more effectively applied; and
- 6) Establish long-term funding for Mitigation and Monitoring in perpetuity.

A summary of the Planning Commission's recommendations is included in Exhibit A (Attachment 24B).

Based on the direction of the Board, final revisions will then be made to the draft documents that were attached as Exhibits to the Staff Report presented to the Planning Commission on April 27, 2017 (Attachments 22B-22I, and 22P), and the draft Resolution for the In-Lieu Mitigation Fee (Attachment 24F).

Planning staff is recommending the Board continue the public hearing to August 29, 2017, or to September 12, 2017, depending on the extent of the Board's direction, for certification of the Environmental Impact Report and adoption of the proposed Project. (Est. Time: 3 Hr.)

Public Comment: R. Boylan, L. Parlin, E. VanDyke, C. Langley, D. Pratt, K. Donahue-Duran, Tom White, S. Taylor, R. Lewis, J. Davies, J. Sutter, B. Braddem

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to close the hearing.

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

Pertaining to Planning Commission recommendation No. 2:

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to retain the definition of a Heritage Oak Tree diameter size as 36 inches.

Yes: 3 - Veerkamp, Ranalli and Novasel

Noes: 2 - Frentzen and Hidahl

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to approve this matter with direction to staff to return on September 12, 2017 at 2:00 P.M. incorporating changes as directed this date (demonstrated below), for certification of the Environmental Impact Report and consideration of adoption of the proposed Project.

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

In their deliberations, the Board approved staff's proposed changes to the draft Oak Resources Conservation Ordinance as shown in the staff report (Attachment 24A) as follows:

- 1) Incorporate proposed changes to Sections 130.39.080 and 130.39.090 as shown under Planning Commission Recommendation No. 1**
- 2) Incorporate proposed changes to Section 130.39.070 as shown under Planning Commission Recommendation No. 5**
- 3) Incorporate proposed changes to Section 130.39.060 as shown under Other Proposed Minor Changes**
- 4) Change the word "Bi-annual" to "Biennial" in Section 130.39.090.B**

The Board also provided direction to staff to revise the Personal Use Exemption to allow removal of 8 trees per parcel, or per dwelling unit per parcel.

The Board approved staff's recommendation to incorporate other proposed changes as shown on Attachment 24E.

(continued next page)

(Item 44 - continued from previous page)

The Board provided the following general direction:

1. Develop metrics to measure mitigation effectiveness
2. Return to the Board in one year after project adoption with an assessment of the project's implementation
3. Also include more information about the various species of oak trees
4. Return to the Board with a separate item regarding the Weber Creek Canyon Important Biological Corridor (IBC)
5. Provide a link to the GIS map with the complete IBC layer for the whole county that is located on the County website
<http://gem.edcgov.us/ugotnet/>
6. Return to the Board in about 90 days with a separate item that discusses tracking and reporting of existing mitigation and monitoring efforts, and how projects subject to the new oak mitigation requirements will be tracked and monitored after project adoption.
7. To exclude Live Oaks from the definition of a Heritage Tree.

ITEMS TO/FROM SUPERVISORS

Supervisor Novasel reported on the following:
Attended California Association of Clerks and Elections Officials in Tahoe last week.

Supervisor Ranalli reported on the following:
Attended a food truck event which raised money for fire safe council programs benefiting seniors.
Toured the new Georgetown Public Utilities District treatment plant at Auburn Lake Trails.
Fire Safe Council revitalization.
Tree mortality update.

Supervisor Frentzen reported on the following:
Attended an open to the public "Community Coffee" event hosted by Assemblyman Kevin Kiley on Saturday, July 15, 2017.
Grizzly Flat Fire Safe Council.

CAO UPDATE

No update.

ADJOURNED AT 6:32 P.M.

CLOSED SESSION

- 45. 17-0327** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** A Closed Session is requested to confer with or receive advice pursuant to Government Code Section 54956.8: This body will hold a closed session to give instructions to its negotiator regarding the real property located 778 Pacific Street, Assessor's Parcel Numbers: 003-071-78; 003-071-72; 003-071-70; 003-071-69; 003-071-68.

Instructions to negotiator will concern price and terms of payment for the purchase and/or lease of property. The person or persons with whom the negotiator may negotiate is Russ Fackrell on behalf of El Dorado County, and Fausel Professional Center LLC or designated representative. (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

- 46. 17-0681** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Chief Administrative Officer or designee. Unrepresented Employee: Director of Environmental Management. (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.

- 47. 17-0682** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Chief Administrative Officer or designee. Unrepresented Employee: Director of Transportation. (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.

- 48. 17-0683** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Chief Administrative Officer or designee. Unrepresented Employee: Director of Planning and Building. (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.

- 49. 16-0587** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Tahoma Chip Seal Incident Number of potential cases: (1). (Est. Time: 5 Min.)

The Board by a 5-0 vote approved the settlement agreement between the County of El Dorado and Western Emulsions whereby Western Emulsions agrees to pay the amount of \$271,920 toward the cost to remediate the chip seal failure on the approximate 21 miles of roadway in the Tahoma area and \$8,977.60 toward homeowner claims as the result of the chip seal failure. In exchange the County agrees to release Western Emulsions from any and all claims related to the chip seal failure.

- 50. 17-0495** **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 located at 3368 Sandy Way, South Lake Tahoe, Assessor's Parcel Number 027-362-08-100. The person or persons with whom the negotiator may negotiate is Urbana Tahoe TC DE, LLC or their designated representative as the property owner. Instructions to negotiator will concern price and terms of payment. Chief Administrative Officer, or designee will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

No Action Reported. All five Supervisors participated.

- 51. 17-0647** **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 and Corrections Bargaining Units; El Dorado County Probation Officer's Association; 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: 30 Min.)

No Action Reported. All five Supervisors participated.

- 52. 17-0678** **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director of Transportation. (Est. Time: 20 Min.)

No Action Reported. All five Supervisors participated.

- 53. 17-0706** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 10 Min.) (Cont. 7/18/17 Item 53)

This matter was Continued to July 25, 2017.

- 54. 17-0771** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 10 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.

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

GENERAL GOVERNMENT - CONSENT ITEMS

- 55. 17-0333** County Counsel recommending the Board direct the Director of Environmental Management or successor to approve and request a wire transfer in the amount of \$2,700,000 plus earned interest from the Meyers Landfill Settlement Trust Fund to the U.S. Bank trust account.

FUNDING: Meyers Landfill Settlement Trust Fund.

This matter was Approved on the Consent Calendar.

CLOSED SESSION

- 56. 17-0778** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.