



County of El Dorado

Board of Supervisors
Department
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Placerville, California
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Minutes - Draft Board of Supervisors

Sue Novasel, Chair, District V
Brian K. Veerkamp, First Vice Chair, District III
John Hidahl, Second Vice Chair, District I
Shiva Frentzen, District II
Lori Parlin, District IV

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

Wednesday, February 6, 2019

1:00 PM

330 Fair Lane, Placerville, CA

NOTICE OF ADJOURNMENT TO FEBRUARY 6, 2019 AT 1:00 P.M. due to winter weather conditions, and in the interest of public safety, in accordance with Gov Code 54955 the meeting of the Board of Supervisors for 2/5/19 has been adjourned to 2/6/19 at 1:00 P.M.

NOTICE OF ADJOURNMENT TO FEBRUARY 6, 2019 1:00 P.M.

NOTICE IS GIVEN that due to winter weather conditions, and in the interest of public safety, in accordance with Government Code section 54955 the regular meeting of the El Dorado County Board of Supervisors for Tuesday, February 5, 2019 has been adjourned to:

Wednesday, February 6, 2019 at 1:00 P.M.

With concurrence of the Board Chair and Chief Administrative Officer

Vision Statement

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

This institution is an equal opportunity provider and employer.

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To listen to open session portions of the meeting in real time, dial (530) 621-7603. This specialized dial in number is programmed for listening only and is operable when the audio system inside the meeting room is activated. Please be advised that callers will experience silence anytime the Board is not actively meeting, such as during Closed Session or break periods.

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us.

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.

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.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017 the Board adopted the following protocol relative to public comment periods:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be modified.

A total of 20 minutes will be allocated for public comment during Open Forum and for each agenda item to be discussed. Public comment on certain agenda items designated and approved by the Board may be treated differently with specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending upon the nature of the issue.

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Chair of the Board may take the following actions.

- Step 1. Request the person adhere to Board guidelines. If the person refuses, the Chair may ask the Clerk to turn off the speaker's microphone.
- Step 2. If the disruption continues, the Chair may order a recess of the Board meeting.
- Step 3. If the disruption continues, the Chair may order the removal of the person from the Board meeting.

1:01 P.M. - CALLED TO ORDER

Present: 5 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Novasel, Supervisor Hida hl and Supervisor Parlin

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: K. Payne

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

- Pull items 12 and 14 for discussion.**
- Correct the typographical error on item 16.**
- Continue item 24 to February 12, 2019.**

Yes: 5 - Veerkamp, Frentzen, Novasel, Hida hl and Parlin

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. Smith

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. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. The total amount of time reserved for Open Forum is 20 Minutes.

CONSENT CALENDAR

- 1. **19-0184** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board on January 29, 2019 and the special meeting of the Board on January 30, 2019.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **16-0305** Chief Administrative Office 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. 1/29/19, Item 3)

This matter was Approved on the Consent Calendar.

- 3. **19-0129** Chief Administrative Office and Probation Department recommending the Board consider the following:
 - 1) Approve and authorize the Chair to sign Lease Agreement 611-L1311 (FENIX 1002) Amendment V, with EL Dorado Foothills, LLC, for Department office spaces located at 3974 Durock Road, to extend the agreement for five (5) years through March 31, 2024, with one (1) renewal option for three (3) years; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to lease agreement 611-L1311, including future Options and Amendments that do not affect rates, contingent upon approval by County Counsel and Risk management.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 4. **19-0142** Clerk of the Board, in collaboration with the Chief Administrative Office and County Counsel, recommending the Board adopt revisions to the following Board policies pursuant to Strategic Plan Good Governance Objective 2.2:

- 1) A-1 Development and Distribution of Board of Supervisors Policies;
- 2) A-2 Guidelines for Writing Board of Supervisors Policies; and
- 3) A-3 Ordinances - New or Amended.

This matter was Approved on the Consent Calendar.

5. **19-0086** Human Resources, Risk Management Division, recommending the Board:
- 1) Approve and authorize the Purchasing Agent to sign agreement 3668 with California State Association of Counties Excess Insurance Authority (CSAC EIA) for Risk Consultant Services for a term beginning upon execution and ending December 31, 2019, with a not-to-exceed amount of \$100,000;
 - 2) Make findings that it is more economical and feasible to contract with CSAC EIA for consulting services; and
 - 3) Authorize the Director of Human Resources, or designee, to execute further documents related to Agreement for Services 3668, including amendments which do not increase the hourly rate or not-to-exceed amount, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Risk Management Fund.

This matter was Approved on the Consent Calendar.

6. **19-0001** Registrar of Voters recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Resolution **016-2019** for a Grant Fund Agreement of \$25,000 from date of execution through June 30, 2021, available under the Help America Vote Act Section 101 for the "improvement of the administration of elections";
 - 2) Approve and authorize a budget amendment to increase revenue and appropriations to the Elections Department for Fiscal Year 2018-19 for \$25,000; and
 - 3) Authorize the Registrar of Voters to execute Grant Funding Agreement No. 18G26109.

FUNDING: 100% Federal Funding.

This matter was Approved and Resolution 016-2019 was Adopted upon Approval of the Consent Calendar.

7. **19-0150** Supervisor Novasel, based upon the recommendation of the First 5 El Dorado Children and Families Commission, recommending the Board make the following appointments to the First 5 El Dorado Children and Families Commission:
- Reappoint Ed Manansala, Education Representative, Term Expiration 02/05/2022; and
- Appoint Don Semon, El Dorado County Health Officer, Term Expiration 02/05/2022.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

8. 18-1904

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment 1 to Agreement for Services 847 with BHC Sierra Vista, Inc. doing business as (dba) Sierra Vista Hospital, Inc., for the provision of acute inpatient mental health services, for the perpetual term from June 10, 2014 until terminated, increasing the maximum obligation per fiscal year by \$100,000, effective upon contract execution, for a new total obligation of \$300,000 per fiscal year;
- 2) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to contract with BHC Sierra Vista, Inc. dba Sierra Vista Hospital, Inc. for services provided under this Agreement 847 because the County has neither the staff nor facilities to perform said services; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 847, 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: 1991 and 2011 Mental Health Realignment.

This matter was Approved on the Consent Calendar.

9. 19-0063

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment 1 to Agreement for Services 212 (101-S1810) with Teri Gelgood, doing business as Creating Joy Now, for the provision of Therapeutic Counseling and Parenting Classes, increasing the maximum obligation by \$150,000 effective upon execution of Amendment 1, for a new maximum contractual obligation of \$215,477, with no change to the term of November 1, 2017 through August 31, 2020;
- 2) Make findings in accordance with County Ordinance 3.13.030 that it is more economical and feasible to contract with Teri Gelgood, doing business as Creating Joy Now for services provided under this Agreement 212 because the County lacks the licensed staff to perform said services; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 212, 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: 28% Federal and 72% Realignment. Funding sources are Title IV-B, Temporary Assistance for Needy Families Emergency Assistance TANF EA, and Social Services Realignment. The determination to use either Title IV-B or TANF EA is based on the individual client's circumstances.

This matter was Approved on the Consent Calendar.

10. 19-0125

Health and Human Services Agency recommending the Board:

- 1) Approve and authorize the Chair to sign non-financial Memorandum of Understanding 3344 (MOU) with Blue Cross of California Partnership Plan, Inc. (Anthem), establishing the roles and responsibilities in the provision of Substance Abuse Disorder services for the beneficiaries of the Medi-Cal Managed Care program administered by Anthem, for a perpetual term beginning upon final execution of the MOU;
- 2) Authorize the Chair to execute further documents relating to the MOU, including amendments that do not increase the maximum dollar amount or term of the MOU, and contingent upon approval by County Counsel; and
- 3) Authorize the Director of the Health and Human Services Agency, or designee, to execute any administrative documents relating to said MOU including required fiscal and programmatic reports.

FUNDING: This is a non-financial MOU.

This matter was Approved on the Consent Calendar.

11. 19-0143

Health and Human Services Agency recommending the Board adopt a Proclamation recognizing February 2019 as National Children's Dental Health Month to promote the importance of developing good oral health habits at a young age.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 12. 18-1843** Department of Transportation recommending the Board consider the following pertaining to the Safety Countermeasures at Various Locations Maintenance Project, 49320/36201034, Contract 3630:
- 1) Approve and authorize the Chair to sign a Budget Transfer in the amount of \$2,784,600, increasing overall budget appropriations for Fiscal Year 2018-19 to accommodate projected expenditures (4/5 vote required);
 - 2) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans; and
 - 3) Authorize advertisement for construction bids.

FUNDING: Highway Safety Improvement Program Funds (100%).
(Federal Funds)

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

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

- 13. 18-1935** Department of Transportation recommending the Board approve and authorize the Chair to sign a Grant Deed transferring fee simple title to the California Department of Transportation for portions of certain parcels acquired for the U.S. Highway 50 HOV Lane, Phase 0 Project.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 14. 19-0009** Department of Transportation recommending the Board approve and authorize the Chair to sign Agreement for Funding of Right of Way Acquisition Costs 18-54899 with Lennar Winncrest, LLC pertaining to construction of Morrison Road - Tierra de Dios Drive to Hollow Oak Road.

FUNDING: Developer Funded.

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

Yes: 4 - Veerkamp, Frentzen, Novasel and Hidahl

Noes: 1 - Parlin

15. 19-0008

Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution **011-2019** for Abandonment of Easement 18-0024 to vacate a Public Utility easement on Lot 38 of "Cambridge Oaks Unit No. 1", recorded at Book H of Subdivisions at Page 144, identified as Assessor's Parcel 119-294-25.

Resolution 011-2019 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

16. 19-0053

Sheriff's Office recommending the Board approve the following:

- 1) Award Bid 19-204-036 for the purchase of Juniper Networks Network Components & License for Maintenance and Support to the low qualified bidder, Zones, LLC of Auburn, WA; and
- 2) Authorize the Purchasing Agent to issue a purchase order in the amount of \$121,676.69 plus applicable sales tax.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar correcting the following typographical error:

- 2) Authorize the Purchasing Agent to issue a purchase order in the amount of \$121,676.69 (correct this amount to \$121,767.69) plus applicable sales tax.

END CONSENT CALENDAR

1:00 P.M. - TIME ALLOCATION**17. 19-0170**

Chief Administrative Officer and Chief Probation Officer recommending the Board approve one of the following two options for the continued development of the Placerville Juvenile Detention and Treatment facility, located at the previously identified and approved construction site located on Fair Lane, Placerville:

- 1) Authorize the construction of a 20-bed facility, confirming the previously approved scope of the facility, and increasing the current General Fund cost by \$4.8 million, for a total not to exceed cost of \$15.5 million, OR
- 2) Authorize the construction of a 30-bed facility, configured as outlined in the staff report, increasing the currently approved scope of the facility by 10 beds, and increasing the General Fund cost by \$7.3 million, for a total not to exceed cost of \$18 million.

Additionally, it is recommended the Board provide conceptual approval to move forward with the following:

- 3) Closure of the existing Juvenile Detention Facility in Placerville, effective June 30, 2019;
- 4) A reduction in force commensurate with the closure of the Juvenile Detention Facility in Placerville and direct staff to return to the Board with the specific amendment to the Authorized Personnel Resolution and related budget transfer;
- 5) The subsequent closure of the South Lake Tahoe Juvenile Treatment Center upon completion of the new Placerville Juvenile Detention and Treatment facility; and
- 6) Direct staff to explore alternative uses of the South Lake Tahoe Juvenile Treatment Center which would remain in compliance with allowable uses of that facility based on grant restrictions associated with the original construction of the facility, as discussed in the staff report.
(Est. Time: 1 Hr.) (Cont. 1/29/19, Item 27)

FUNDING: SB 81 Funds and General Fund.

Public Comment: Judge Kingsbury, T. Monterosso, V. Pierson, T. Usher, T. Rolston, C. McCarthy, K. Payne, S. Murphy

A motion was made by Supervisor Frentzen to apply for a one-year extension from the Board of State and Community Corrections for funding of the Juvenile Detention and Treatment facility.

Motion failed for lack of a second.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Hidahl to Authorize the construction of a 20-bed facility, confirming the previously approved scope of the facility, and increasing the current General Fund cost by \$4.8 million, for a total not to exceed cost of \$15.5 million.

Yes: 4 - Veerkamp, Novasel, Hidahl and Parlin

Noes: 1 - Frentzen

A motion was made by Supervisor Frentzen, seconded by Supervisor Veerkamp to conceptually approve the following:

- 1) Closure of the existing Juvenile Detention Facility in Placerville, effective June 30, 2019;**
- 2) A reduction in force commensurate with the closure of the Juvenile Detention Facility in Placerville and direct staff to return to the Board with the specific amendment to the Authorized Personnel Resolution and related budget transfer;**
- 3) Direct staff to study and return to the Board on the repurposing of the Placerville Juvenile Detention Center; and**
- 4) Direct staff to return to the Board in one year with a report on the outcome of the transportation of the children to the Tahoe Juvenile Detention Facility.**

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

The Board took no action on the subsequent closure of the South Lake Tahoe Juvenile Treatment Center upon completion of the new Placerville Juvenile Detention and Treatment facility.

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to direct staff to explore alternative uses of the South Lake Tahoe Juvenile Treatment Center which would remain in compliance with allowable uses of that facility based on grant restrictions associated with the original construction of the facility, as discussed in the staff report.

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

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

- 18. 19-0172** Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Waive the competitive bidding requirements for the provision of commercial cardlock fueling services, as authorized by ordinance section 3.12.160 (F), finding that the extension is necessary in order to avoid an interruption of County business;
 - 2) Retroactively approve and authorize the Purchasing Agent to sign Agreement 3683 with Hunt and Sons, Inc., in an amount not to exceed \$1,000,000 for the period of January 24, 2019 through January 23, 2020 to provide commercial cardlock fueling services for all County-owned vehicles; and
 - 3) Authorize the Purchasing Agent to execute Amendments which do not affect the term or total not-to-exceed amount of the agreement. (Est. Time: 5 Min.)

FUNDING: Various - General and Non General Fund.

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

Supervisor Frentzen registered a No vote based on the Agreement being retroactive.

Yes: 4 - Veerkamp, Novasel, Hidahl and Parlin

Noes: 1 - Frentzen

- 19. 19-0069** Chief Administrative Office recommending the Board receive informational presentations from the listed Departments as part of the preparation for the Fiscal Year 2019-20 Budget development process:
- 1) Probation Department;
 - 2) Public Defender;
 - 3) Recorder-Clerk; and
 - 4) Elections. (Est. Time: 1 Hr.)

The Board received informational presentations from the listed Departments as part of the preparation for the Fiscal Year 2019-20 Budget development process:

- 1) Probation Department; and**
- 2) Public Defender.**

The informational presentations from Recorder-Clerk and Elections are Continued to February 12, 2019.

ITEMS TO/FROM SUPERVISORS

Supervisor Frentzen reported on the following:
Monthly Building and Planning meeting.
HHSA Director farewell event.

Supervisor Veerkamp reported on the following:
Good Governance training.
Fish and Game Commission meeting.
City Two by Two meeting.
Treasurer-Tax Collector meeting.
Vegetation Management meeting.

Supervisor Parlin reported on the following:
Coloma stakeholder meeting.
Transportation staff meeting.
Sierra Nevada Conservancy phone meeting.
Vacancy Notice for Parks and Recreation Commission.
River Management Advisory Committee.

Supervisor Hidahl reported on the following:
El Dorado Rotary meeting.
Budget Ad Hoc meeting.
Fish stocking at Serrano Lake.
El Dorado Hills Rotary Highway 50 landscaping meeting.
Monthly El Dorado Hills meeting.

Supervisor Novasel reported on the following:
Good Governance training.
Budget Ad Hoc meeting.
Tahoe traffic meeting.
Tahoe storm.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Union Mine Academic Decathlon.

ADJOURNED AT 5:41 P.M. in honor Carl Visman Jr.

CLOSED SESSION

- 20. 19-0109** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organizations: Operating Engineers Local 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Managers' Association, and El Dorado County Deputy County Counsel Association (Est. Time: 20 Min.)

No Action Reported. All five Supervisors participated.

- 21. 19-0192** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Newtown Preservation Society and Wanda Nagel v. County of El Dorado and El Dorado County Board of Supervisors (El Dorado County Superior Court Case PC 20190037) Number of potential cases: (1). (Est. Time: 15 Min.)

By a unanimous 5-0 vote, the Board authorized the defense of the matter Newtown Preservation Society and Wanda Nagel v. County of El Dorado and El Dorado County Board of Supervisors. The defense is to be conducted by County Counsel's office.

- 22. 19-0110** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code section 54956.9(d)(4) Number of potential cases: (1). (Est. Time: 15 Min.) (Cont. 1/29/19, Item 34)

This matter was Continued to February 12, 2019.

- 23. 19-0137** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Clerk of the Board of Supervisors. (Est. Time: 20 Min.)

This matter was continued to February 12, 2019.

- 24. 19-0138** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Library Services. (Est. Time: 20 Min.)

This matter was Continued to February 12, 2019 upon Approval of the Consent Calendar.