County of El Dorado

Board of Supervisors
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Minutes - Final

Board of Supervisors

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

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

Tuesday, May 5, 2015 | **8:00 AM** | **Board of Supervisors Meeting Room**

ADDENDUM

Item No. 28 is hereby added to 10:00 A.M. - TIME ALLOCATION.

Items No. 29 and 30 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.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: http://eldorado.legistar.com/Calendar.aspx

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

Public comment will be received on each agenda item listed under Department Matters as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. Public comment on items scheduled for Closed Session will be received promptly at 8:00 A.M. before the Board recesses to Closed Session. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

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

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

9:56 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

Supervisor Novasel gave the Invocation.
Supervisor Frentzen led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to Adopt the Agenda and Approve the Consent Calendar with the following changes:
Continue item 5 to May 12, 2015.
Item 22 was removed from the calendar at the recommendation of the Sheriff.

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

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: L. Teegee, C. Smith, A. Day, R. Clannon, L. Scott, M. Villalogos, S. Williams, R. Multin-Bender, L. Weitzman, L. Parlin, J. Sweeney, R. Nygard, S. Taylor

15-0623 Public Comment on Open Forum

DEPARTMENT/SUPERVISOR REPORTS

Brian Richart, Chief Probation Officer, gave an update on the successes in the Probation Department.
Jeff McLaughlin, Community and Economic Development Manager, introduced himself.
Pamela Knorr, Chief Administrative Officer, updated the Board on the survey results from the early separation program.
Supervisor Novasel reminded everyone that May is Mental Health awareness month.
Supervisor Veerkamp announced that yesterday started Wild Fire Awareness week.

CONSENT CALENDAR

1. 15-0570 Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on April 28, 2015.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. 15-0448 Auditor-Controller and County Counsel recommending the Board consider the following:
1) Approve and authorize the Chair to execute Indemnity, Hold Harmless, and Defense Agreement between El Dorado County and Serrano Associates, LLC in connection with Community Facilities District No. 1992-1 (El Dorado Hills); and
2) Authorize Auditor-Controller to transfer the residual funds in the Community Facilities District account in the amount of $30,890.38, thereby closing out the account.

This matter was Approved on the Consent Calendar.

3. 15-0449 Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
1) Make findings that it is more feasible and economical to engage an outside contractor for the provision of confidential document and electronic waste destruction services in accordance with Ordinance 3.13.040; and
2) Approve and authorize the Chair to sign Agreement 452-S1511 with Viking Shred, LLC, in an amount not to exceed $100,000.00 for the period of May 1, 2015 through April 30, 2018 to provide confidential document and electronic waste destruction services on an "as requested" basis to County departments located on the western slope. (Cont. 4/28/15, Item 7)

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

4. 15-0595 Clerk of the Board recommending the Board make the following appointment to the River Management Advisory Committee based on the single application received during the 20 day Notice of Vacancy period of April 7, 2015 through April 27, 2015:

River Management Advisory Committee:
Appoint Adam Anderson, Member (Vacant), Coloma/Lotus Business Owner, Term Expiration 01/01/2019

This matter was Approved on the Consent Calendar.

5. 08-0555 Human Resources recommending the Chair be authorized to sign amended Rules of Procedure for the County of El Dorado, Civil Service Commission; said amendments to the Rules of Procedures were adopted unanimously by the Civil Service Commission and reviewed by El Dorado County Bargaining Units.

This matter was Continued to May 12, 2015 upon Approval of the Consent Calendar.

6. 15-0592 Supervisor Ranalli recommending the Board consider appointing John Arenz as the District IV Commission representative to the County of El Dorado Parks and Recreation Commission for a term to expire on January 1, 2019.

This matter was Approved on the Consent Calendar.

7. 15-0593 Supervisor Ranalli recommending the Board consider appointing Nancy Spinella as the District IV representative to the El Dorado Solid Waste Advisory Committee for a term to expire on January 1, 2020.

This matter was Approved on the Consent Calendar.

8. 15-0594 Supervisor Ranalli recommending the Board consider appointing William "Bill" Scrivani as the District IV Commission representative to the El Dorado County Veterans Affairs Commission for a term to expire on January 1, 2019.

This matter was Approved on the Consent Calendar.

9. 15-0573 Supervisor Veerkamp recommending the Board authorize the Chair to sign a letter of support to Net Metering at the California Public Utilities Commission.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

10. 15-0509 Chief Administrative Office, Procurement and Contracts on behalf of Community Development Agency, Transportation Division, recommending the Board consider the following:
1) Award Bid No. 15-288-049 for the purchase of Plant Mix Asphalt Concrete for the West Slope of El Dorado County to the low qualified bidder, Teichert Aggregates of Sacramento, CA;
2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of $1,100,000.00 for a twenty-four (24) month period following Board approval; and
3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: Road Fund Discretionary.

This matter was Approved on the Consent Calendar.

11. 15-0516 Chief Administrative Office, Procurement and Contracts on behalf of Community Development Agency, Transportation Division, recommending the Board consider the following:
1) Award Bid No. 15-405-045 for the purchase of Bulk Lubricants for use in maintaining County vehicles and equipment by staff, to the low qualified bidder, Hunt & Sons, Inc. of Placerville, CA;
2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of $160,000.00 for a twenty-four month (24-month) award period following Board approval; and
3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: Non-General Fund: Road Fund - Discretionary; Fleet Internal Service Fund: and Airport Enterprise Fund.

This matter was Approved on the Consent Calendar.

12. 15-0253 Community Development Agency, Transportation Division and Chief Administrative Office, Parks Division, recommending the Board:
1) Adopt and authorize the Chair to sign Resolution **069-2015** issuing a parade permit to restrict use in portions of the Rubicon Trail for up to 5 consecutive days for "Jeepers Jamboree" and 4 consecutive days "Jeep Jamboree" events occurring on an annual basis in July and August from 2015 through 2019 (5 years); and
2) "Grandfather in" these events and issue no other Parade Permits on the Rubicon Trail.

FUNDING: N/A

This matter was Approved and Resolution 069-2015 was Adopted upon Approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

13. 15-0435 Health and Human Services Agency, Social Services Division, recommending the Board consider the following:
1) Approve and authorize the Chair to sign Amendment 1 to Agreement for Services 045-S1510 with New Morning Youth and Family Services, Inc. for the provision of therapeutic counseling services for the term July 1, 2014 through June 30, 2017, increasing the maximum contractual obligation by $137,804 from $62,196 to $200,000; and
2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 045-S1510, including amendments that do not increase the maximum dollar amount or term of the Agreement and contingent upon approval by County Counsel and Risk Management.

FUNDING: Funded with a blend of Federal and State funds (85%) and realignment funding (15%).

This matter was Approved on the Consent Calendar.

14. 15-0471 Health and Human Services Agency, Mental Health Division, recommending the Board approve Tahoe Turning Point, Inc.'s "Penal Code 1000" program for the provision of drug education and counseling services. Pursuant to Penal Code 1211, the Health and Human Services Agency's Alcohol and Drug Program Manager has reviewed, approved and recommends the Board approve the program prior to implementation.

FUNDING: Per statute, the County receives five percent (5%) of client fees paid for participating in the PC 1000 program to provide oversight of the Drug Diversion Programs.

This matter was Approved on the Consent Calendar.

15. 15-0537 Library Director recommending the Board approve and authorize the Chair to sign a budget transfer increasing revenues and appropriations for library materials by $23,358 as a result of donations received from the community and the Friends of the Library. (4/5 vote required)

FUNDING: Donations.

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

16. 14-0545 Probation Department recommending the Board receive and file the annual re-application of the Juvenile Justice Development Plan to the California Board of State and Community Corrections for continued funding of the Youthful Offender Block Grant for Fiscal Year 2015/16.

FUNDING: Youthful Offender Block Grant.

This matter was Approved on the Consent Calendar.

17. 14-0574 Probation Department recommending the Board receive and file the annual re-application to the California Board of State and Community Corrections for continued funding of the Community Alliance to Reduce Truancy program through the Juvenile Justice Crime Prevention Act.

FUNDING: Juvenile Justice Crime Prevention Act.

This matter was Approved on the Consent Calendar.

18. 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. 4/28/15, Item 35)

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

The Board Members are invited to attend the annual informal luncheon presented by the El Dorado County Fair Board of Directors at approximately 12:00 P.M. at the Marshall Building, 100 Placerville Drive, Placerville, CA 95667.

10:00 A.M. - TIME ALLOCATION

MONTHLY STAFF UPDATE - FACILITIES UPDATE

No update given.

HEALTH AND HUMAN SERVICES - 10:00 A.M. TIME ALLOCATION

19. 14-0585 Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign a Proclamation designating May 2015 as “Foster Parent Appreciation Month” in El Dorado County. (Est. Time: 5 Min.)

FUNDING: There is no funding associated with this Proclamation.

Don Ashton, Director of Health and Human Services Agency, read the Proclamation.

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

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

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

20. 14-0617 Supervisor Veerkamp recommending the Board consider the following:
1) Receive a presentation by El Dorado County Transportation Commission representative, Jerry Barton, on National Bike Month, Million Mile May, Clean Air Month, and Bike to Work Day;
2) Receive an invitation for the Board and the community to participate in the annual Great Bike Ride, Thursday, May 7th, 2015, from 11:30 p.m. to 1:00 p.m. on the El Dorado Trail, starting at the county offices between Buildings A and B, 330 Fair Lane, Placerville; and
3) Approve a Proclamation recognizing the month of May, 2015, as National Bike Month. (Est. Time: 10 Min.)

Supervisor Veerkamp read the Proclamation.

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

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

21. 14-0613 Community Development Agency, Transportation Division, Fleet Services Unit, recommending the Board receive and file the presentation of County vehicle usage and compliance of the Fleet Management Program with the Board, Policy D-4, Vehicle Use, Standards, Procurement and Disposal. (Est. Time: 15 Min.)

FUNDING: N/A

Received and Filed.

DEPARTMENT MATTERS

LAW AND JUSTICE - DEPARTMENT MATTER ITEMS

22. 15-0487 Sheriff's Office recommending the Board approve and authorize the Chair to:
1) Exempt the purchase of 70 In-Car Video Systems for marked patrol units within the Sheriff's Office from competitive bidding pursuant to County Purchasing Ordinance 3.12.160 (B), finding that the unique nature of the property or services required precludes competitive bidding; and
2) Authorize the Purchasing Agent to issue a purchase order or engage in a contract for the not to exceed estimated amount of $448,000, plus applicable taxes and fees to Watch Guard Digital In-Car Video for the purchase of the systems. Thirty five (35) Units will be purchased in Fiscal Year 2014/15 and 35 Units are planned to be purchased in Fiscal Year 2015/16. (Cont. 4/28/15, Item 43)

FUNDING: General Fund.

This matter was removed from the agenda.

END DEPARTMENT MATTERS

2:00 P.M. - TIME ALLOCATION

GENERAL GOVERNMENT - 2:00 P.M. TIME ALLOCATION

23. 13-0336 Chief Administrative Office recommending Board consider the following:
1) Receive reports associated with funding agreement 525-F1411 from Fallen Leaf Lake Community Services District, Garden Valley Fire Protection District, Georgetown Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and the Rescue Fire Protection District; and
2) Authorize the Chair to sign funding agreement 518-F1511 in the amount of $815,000 with Fallen Leaf Lake Community Services District, Garden Valley Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and the Rescue Fire Protection District.

FUNDING: General Fund Fiscal Year 2014/15.

Public Comment: J. Hardley, M. Spell, K. Payne

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

Yes: 4 - Veerkamp , Frentzen, Ranalli and Novasel

Noes: 1 - Mikulaco

LAND USE AND DEVELOPMENT - 2:00 P.M.TIME ALLOCATION

24. 10-0123 Community Development Agency, Long Range Planning Division, recommending the Board consider the following:
1) Conduct a public hearing to consider the Introduction (First Reading) of Ordinance **5022** amending Ordinance 4992, Chapter 8.79 of Title 8 of the El Dorado County Ordinance Code in order to meet the requirements of Section E.6. of the State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS000004, Waste Discharge Requirements for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (West Slope MS4 Permit); and
2) Waive full reading of the Ordinance, read by title only and continue this matter to Tuesday, May 19, 2015, for Final Passage (Second Reading). (Est. Time: 15 Min.)

FUNDING: Public Utility Franchise Fees and General Fund.

Public Comment: K. Payne, S. Taylor, H. Bastille

Supervisor Veerkamp opened the public hearing.

A motion was made by Supervisor Frentzen, seconded by Supervisor Mikulaco to Approve this matter and Continue Ordinance 5022 to May 19, 2015 for final passage.

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

25. 14-0245 Community Development Agency, Long Range Planning Division, recommending the Board consider the following relating to the Major Capital Improvement Program (CIP) and Traffic Impact Mitigation (TIM) Fee Program Update:
1) Receive and file information relating to the traffic analysis methodology;
2) Confirm that the four (4) TIM Fee Zone Geography options presented are appropriate for further analysis;
3) Provide input on the land use categories;
4) Receive and file information on the existing and future deficiency analysis results;
5) Provide staff direction on proceeding forward with the 2035 General Plan Land Use Scenario for the purposes of creating a draft CIP list and preliminary TIM Fee structure;
6) Receive and file information on alternative funding; and
7) Receive and file the summary of the initial public outreach and focus groups. (Est. Time: 2 Hr.)

FUNDING: TIM Fees and Road Fund. (No Federal Funds)

Public Comment: K. Payne, A. Scotch, S. Taylor, H. Badsell, L. Parlin, J. Sweeney

A motion was made by Supervisor Mikulaco, seconded by Supervisor Frentzen to receive and file action items 1, 4, 6 and 7 of the agenda item and to Approve action item 2 as follows:
1) Confirm that the four (4) TIM Fee Zone geography options presented are appropriate for further analysis (Attachment 8C); and
2) Direct staff to select one parcel in each existing Zone and demonstrate at a future Board meeting how the TIM Fee rate for said parcel would be affected in each Zone change scenario.

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

A motion was made by Supervisor Mikulaco, seconded by Supervisor Frentzen to Approve action item 3 with input given to staff regarding the land use categories.

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

A motion was made by Supervisor Mikulaco, seconded by Supervisor Ranalli directing staff to use the General Plan Land Use Scenario. (Refer to Attachment 8K, Slide 39, #6)

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

CAO UPDATE

Assistant Chief Administrative Officer, Mike Ciccozzi gave the Board the current status pertaining to the county budget:
Budget deficit is approximately $8.4 Million
Contingency is 1.6%
Reserves are 4.5%

ITEMS TO/FROM SUPERVISORS

Supervisor Novasel provided a reminder about the Amgen Bicycle event occurring this coming weekend.

Supervisor Ranalli attended an event last weekend at the Bailey Barn for a mystery theater fundraiser supporting "Drug Free Divide" and "Ready by 21" that was very well attended.

Supervisor Veerkamp commented on Mother's Day coming up next Sunday.

ADJOURNED AT 5:42 P.M.

CLOSED SESSION

26. 15-0600 **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, Probation, and Corrections Bargaining Units; 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: 20 Min.)

No Action Reported. All five Supervisors participated.

27. 12-0443 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1): Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-01-01520 x-ref: (Meyers Landfill Site). (Est. Time: 15 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. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or online) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

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

10:00 A.M. - TIME ALLOCATION

28. 15-0603 Supervisor Veerkamp recommending the Board join him in the recognition of Chandra Sousa for saving a life and to authorize the Chair's signature on a Certificate of Recognition from the El Dorado County Board of Supervisors.

Supervisor Veerkamp read the Proclamation.

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

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

CLOSED SESSION

29. 15-0463 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

30. 12-1322 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1) Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.