



County of El Dorado

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Minutes

Board of Supervisors

Ron Briggs, Chair, District IV
Norma Santiago, First Vice Chair, District V
Ray Nutting, Second Vice Chair, District II
Ron Mikulaco, District I
Brian K. Veerkamp, District III

James S. Mitrisin, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel

Tuesday, March 5, 2013

8:00 AM

Board of Supervisors Meeting Room

Vision Statement

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

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

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Public Testimony 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. 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: 3 - Supervisor Briggs, Supervisor Mikulaco and Supervisor Veerkamp

Absent: 2 - Supervisor Santiago and Supervisor Nutting

9:08 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was provided by Pastor Dave Cooke from the Cold Springs Community Church.

The Pledge of Allegiance was led by Supervisor Ron Mikulaco.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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.

Approval of the Consent Calendar

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to adopt the Agenda and approve the Consent Calendar with the following changes: Item No. 3 was pulled off of the consent calendar and acted on separately; Item No. 11 was continued to Tuesday, March 19, 2013; and Items 17 and 18 were continued to March 12, 2013.

Yes: 3 - Briggs, Mikulaco and Veerkamp

Absent: 2 - Santiago and Nutting

13-0008

OPEN FORUM

S. Taylor RE: Comments regarding the General Plan.

13-0010

CAO UPDATE

The Chief Administrative reported on two matters: 1) Poll Worker Training Video; and 2) Citizens Institute for Rural Design.

CONSENT CALENDAR

1. **13-0007** Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, February 25, 2013 and the Regular Meeting of Tuesday, February 26, 2013.
This matter was Approved on the consent calendar.

2. **13-0001** Clerk of the Board of Supervisors recommending the Board make the following appointment:

El Dorado County Cemetery Advisory Committee
Appoint Kathy Witherow, BOS Alternate, New Termination Expiration, January 1, 2015.

Library Commission
Appoint Marilyn Marcroft, Member, District 1, New Termination Expiration, January 1, 2017.

This matter was Approved on the consent calendar.

3. [12-1569](#) Clerk of the Board of Supervisors recommending the Board make the following appointment:

Local Enforcement Agency Independent Hearing Panel

Reappoint Supervisor Ray Nutting, New Term of Expiration January 1, 2017.

Abandoned Vehicle Abatement Service Joint Powers Authority

Appoint Supervisor Ron Mikulaco as Member, replacing Supervisor Ray Nutting, with No Term of Expiration.

Appoint Supervisor Brian Veerkamp as Alternate Member, replacing Supervisor Ron Mikulaco, with No Term of Expiration.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to approve the reappointment of Supervisor Ray Nutting to serve on the Local Enforcement Agency Independent Hearing Panel for a term to expire January 1, 2017; and continued the appointments of Supervisors Mikulaco and Veerkamp to serve on the Abandoned Vehicle Abatement Service Joint Powers Authority to March 19, 2013.

Yes: 3 - Briggs, Mikulaco and Veerkamp

Absent: 2 - Santiago and Nutting

4. [13-0220](#) Auditor-Controller recommending the Board authorize him to make cash advances from the General Fund to various special revenue funds during Fiscal Year 2012-13 to alleviate negative cash conditions that may occur as a result of the timing of Federal, State and grant funding.

This matter was Approved on the consent calendar.

5. [12-1163](#) Chief Administrative Office recommending the Board, in accordance with Board of Supervisors Policy B-14:
- 1) Make a finding that specific projects will provide significant community benefit by providing housing that is affordable to very low-, low-and/or moderate-income households; and
 - 2) Award Traffic Impact Mitigation (TIM) Fee Offset totaling \$15,240.

FUNDING: Traffic Impact Mitigation Fees.

This matter was Approved on the consent calendar.

6. [12-0113](#) Chief Administrative Office recommending the Board authorize the Purchasing Agent to execute Amendment I to Agreement for services No. 595-S1211 with ICF Jones and Stokes, Inc. revising the scope to include the development of standards (master plans) for Mixed Use and Traditional Neighborhood Design development; and increasing the contract amount by \$57,585 for a total not to exceed amount of \$352,730.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

7. [11-1441](#) Chief Administrative Office recommending the Board authorize the Purchasing Agent to execute Amendment I to Agreement for Services No. 396-S1211 with Kimley-Horn and Associates, Inc., revising the scope of services to add Component 4 which includes Task 4.1 - Rural Area Land Use Forecast, Optional Task 4.2 - Land Use Forecast Revision and Model Analysis, Optional Task 4.3 - Meetings and Documentation, and Optional task 4.4 - Additional Presentations, and increasing the contract amount by \$72,042.50 for a total contract amount of \$451,537.50.

FUNDING: Traffic Impact Mitigation (TIM) Fees, Road Fund, and General Fund.

This matter was Approved on the consent calendar.

8. [13-0194](#) Chief Administrative Office and Facilities Investment Team recommending the Board:
- 1) Authorize the Department to enter into negotiations with the owners of parcel 323-400-231 for purchase of a building for purposes of consolidation of leased facilities and needs related to deferred maintenance; and
 - 2) Appoint Russ Fackrell as the real estate negotiator on behalf of the County for the negotiation.

FUNDING: Accumulative Capital Outlay / Reserve for Capital Projects.

This matter was Approved on the consent calendar.

9. [13-0075](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
- 1) Make findings in accordance with Ordinance 3.13.030 that it is more feasible to contract out for uniform rental and laundry and linen services than to create new County job classifications and procure and maintain specialized equipment; and
 - 2) Authorize the chair to execute Agreement for Services 293-S1311 with Ameripride Services, Inc., doing business as Ameripride Uniform Services for the provision of laundry and linen services, and garment, linen, and accessory rental services for a total not to exceed amount of \$175,000 over a three year period.

This matter was Approved on the consent calendar.

10. [13-0150](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.

This matter was Approved on the consent calendar.

11. [13-0161](#) Chief Administrative Office, Procurement and Contracts on behalf of the Community Development Agency, Department of Transportation, Fleet Unit, recommending the Board approve the following:
- 1) Award Bid No. 13-070-048 for the purchase of new Fleet vehicles to the low qualified bidders, Elk Grove Dodge Chrysler Jeep of Elk Grove, CA (bid vehicle "D") in the amount of \$24,157.75, Future Ford of Roseville, CA (bid vehicle "R" and "S") in the amount of \$112,879.50, Albany Ford of Albany, CA ((bid vehicle "N", "O", and "P") in the amount of \$121,111.35, Downtown Ford Sales of Sacramento, CA (bid vehicle "B", "C", "E", "F", "G", "H", "I", "K", "L" and "M") in the amount of \$368,000.00 plus all required taxes and fees; and
 - 2) Authorize the Purchasing Agent to issue multiple purchase orders in the amount of \$626,148.60 plus all required taxes and fees (estimated at \$46,924.94) following Board approval.

FUNDING: Fleet Internal Service Fund.

This matter was continued to March 19, 2013 upon approval of the consent calendar.

12. [13-0170](#) County Counsel recommending the Board review and approve revised conflict of interest codes received from local public entities within the county.

This matter was Approved on the consent calendar.

13. [11-0665](#) County Counsel recommending the Board indicate that it will not authorize the issuance of Tax and Revenue Anticipation Notes (TRANS) on behalf of the Lake Tahoe Community College District, thus freeing the College District to issue TRANS in their own name.
- This matter was Approved on the consent calendar.**
14. [13-0160](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **023-2013** authorizing:
- 1) The Chair to execute Agreement 13B-5007 and the accompanying Contractor Certification Clauses CCC 307 with the California Department of Community Services and Development for provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine counties during the term January 1, 2013 through January 31, 2014;
 - 2) The Health and Human Services Agency Director or the Chief Assistant Director, or their successors, to execute further documents relating to said Agreement, including one or more amendments thereto, contingent upon review and approval by County Counsel and Risk Management, that do not alter the total maximum dollar amount or term; and
 - 3) The Health and Human Services Agency Director or the Chief Assistant Director, or their successors, to sign subsequent required fiscal and programmatic reports and to perform any and all administrative responsibilities in relationship to said Agreement.
- FUNDING:** Federal Low-Income Home Energy Assistance Program Grant Funds.
- Resolution 023-2013 was adopted upon approval of the consent calendar.**
15. [13-0162](#) Health and Human Services Agency, Community Services Division, recommending the Board consider the following:
- 1) Accept with appreciation a donation of \$5,448.47 from the Estate of Billie Jo Ashley to the Senior Nutrition Meals on Wheels program; and
 - 2) Authorize the Director of the El Dorado County Health and Human Services Agency, or successor, to sign the Receipt of Distributee to acknowledge receipt of said donation.
- FUNDING:** Donation from the Estate of Billie Jo Ashley.
- This matter was Approved on the consent calendar.**

16. [13-0164](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign documents required by the California Department of Public Health, Tuberculosis Control Branch, for Public Health that will allow the County to receive retroactive reimbursement in the amount of \$5,869 for core tuberculosis control and prevention activities performed during the period of July 1, 2012 through June 30, 2013.

FUNDING: California Department of Public Health, Tuberculosis Control Branch, and Federal funds.

This matter was Approved on the consent calendar.

17. [13-0140](#) Library recommending the Board consider the following:
- 1) Acceptance of funding totaling \$13,700 from NorthNet Library system for the purchase of an interactive portable local history kiosk to be placed in libraries and other locations to showcase El Dorado County history;
 - 2) Authorize the Chair to sign a budget transfer increasing revenues and appropriations by \$13,700 as a result of the acceptance of this funding (4/5 Vote); and
 - 3) Authorize the Chair to sign the NorthNet Library System claim form requesting grant funding.

The matter was continued to March 12, 2013 upon approval of the consent calendar.

18. [13-0141](#) Library recommending the Board consider the following:
- 1) Acceptance of funding totaling \$14,938 from NorthNet Library system for the purchase of iPads and accessories, including applications (apps) and ebooks to loan to library patrons to advance their digital literacy skills;
 - 2) Authorize the Chair to sign a budget transfer increasing revenues and appropriations by \$14,938 as a result of the acceptance of this funding; and
 - 3) Authorize the Chair to sign the NorthNet Library System claim form requesting grant funding. (4/5 vote required)

FUNDING: NorthNet Library System Funds.

This matter was continued to March 12, 2013 upon approval of the consent calendar.

19. [13-0224](#) Supervisor Nutting recommending adoption of Resolution **024-2013** permitting J and M Displays West to conduct a pyrotechnic display on Saturday, March 23, 2013, on private property, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by fire control authorities; and recommending Chair be authorized to sign a letter to the El Dorado County Fire Protection District.

Resolution 024-2013 was adopted upon approval of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

20. [12-1554](#) Director of Health and Human Services Agency providing a report on the status of changes to the existing contract with HAPPY Software as requested by the Board at the December 18, 2012 meeting. (Refer 12/18/12, Item 64) (Est. Time: 5 min.)

Received and Filed.

21. [13-0137](#) Development Services Department, Planning Services Division, is forwarding a request from El Dorado Senior Housing, LLC for a Conceptual Review of Pre-Application PA12-0005/El Dorado Senior Resort for property identified by APNs 331-221-30 and 331-221-32, consisting of 8.2 acres, in the El Dorado area; and recommending the Board discuss issues identified by staff with the project developer. (Supervisorial District 3) (Est. Time: 1 Hr.)

Received and Filed.

22. [12-1290](#)

Supervisor Briggs recommending the Board:

- 1) Discuss the Joint Exercise of Powers Agreement (Agreement) for the Elk Grove-Rancho Cordova-El Dorado County Connector Authority (Whiterock Connector Joint Powers Authority/JPA) and the County's prior request for an amendment to the Agreement, including:
 - a) The JPA's powers to exercise eminent domain within a member jurisdiction's boundaries without the consent of that member jurisdiction's Board of Supervisors/City Council;
 - b) The JPA's powers to financially obligate a member jurisdiction without the consent of the member jurisdiction's Board of Supervisors/City Council; and
 - c) The ramifications if the County were to withdraw its membership from the JPA, the timing of such withdrawal, and options for the County to enter into a subsequent and separate agreement with the JPA;
- 2) Discuss concerns regarding the upcoming JPA Financing Plan; and
- 3) Provide direction to the Board's appointed representative to the JPA in preparation for the March 8, 2013, JPA Board of Directors meeting.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to approve the requirement of the proposed resolution (Attachment 12-1290 4E) presented to the Board this date as part of the financing plan. (Noting: This resolution will be taken by the Board's Representative to the Joint Powers Authority (JPA) on Friday, March 8, 2013 for possible adoption by the JPA at that time.)

Yes: 3 - Briggs, Mikulaco and Veerkamp

Absent: 2 - Santiago and Nutting

10:00 A.M. - TIME ALLOCATION

23. [13-0144](#) Health and Human Services Agency, Community Services Division, recommending the Board:
1) Receive a presentation by Vicki Ludwig of the Commission on Aging; and
2) Receive and file the El Dorado County Commission on Aging 2012 Annual Report. (Est. Time: 10 Min.)

Received and Filed.

24. [13-0168](#) Presentation by Debbie Manning of the El Dorado Hills Chamber of Commerce/Welcome Center providing an annual status report for promotional funding. (Est. Time: 15 Min.)

Received and Filed.

10:30 A.M. - TIME ALLOCATION

25. [13-0149](#) Presentation by Laura Roth, Director, Department of Child Support Services, providing an update on the accomplishments of and recognition received by Child Support Services in the prior federal fiscal year. (Est. Time: 15 min.)

Received and Filed.

11:00 A.M. - TIME ALLOCATION

26. [13-0023](#) Presentation -Transportation recommending the Board receive a presentation and provide direction on the County of El Dorado's Draft Pollutant Load Reduction Plan for the Lake Tahoe Basin, which will be submitted to the California Regional Water Quality Control Board, Lahontan Region pursuant to the National Pollution Discharge Elimination System Permit Board Order No. R6T-2011-101A1 requirements. (Est. Time: 1 Hr.)

FUNDING: General Fund and Public Utility Franchise Fees.

Received and Filed.

2:00 P.M. - CLOSED SESSION**ITEMS TO/FROM SUPERVISORS****ADJOURNED AT 4:40 P.M.**

CLOSED SESSION

27. 13-0225 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Child Support Services (Est. Time: 30 Min.)
No Action Reported.
28. 13-0226 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Interim Director of Transportation (Est. Time: 30 Min.)
No Action Reported.
29. 13-0104 **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: 2 Hrs.)
No Action Reported.
30. 13-0234 **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 344 Placerville Drive (APN 323-400-23). The person or persons with whom the negotiator may negotiate is Pioneers Plaza Ltd. Partnership or designated agent. Instructions to negotiator will concern price and term of payment. Russ Fackrell and Scott Kingston will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)
No Action Reported.

31. 13-0235 **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 670 Placerville Drive. The person or persons with whom the negotiator may negotiate are Stan Paolini and James B. McGuire of Golden Plaza I, LLC. Instructions to negotiator will concern price and term of payment. Russ Fackrell and Scott Kingston will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)

No Action Reported.