



# 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. Mitrising, Clerk of the Board of Supervisors*  
*Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel*

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Tuesday, March 12, 2013

8:00 AM

Board of Supervisors Meeting Room

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#### 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.

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](mailto:edc.cob@edcgov.us).

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.

#### **8:04 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

**Present:** 4 - Supervisor Briggs, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Nutting

**Absent:** 1 - Supervisor Santiago

#### **9:05 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 provided the Invocation. Supervisor Mikulaco led the Pledge of Allegiance.**

#### **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 as presented.

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago

13-0008

## OPEN FORUM

**L. Brent-Bumb RE:** Thanked Supervisor Briggs for providing the keynote speech at the State of the County Address.  
**Business Showcase - Friday at the El Dorado County Fairgrounds from 8 a.m. to 4 p.m.**

**S. Taylor RE:** JPA Southeast Connector Meeting.

13-0010

## CAO UPDATE

The Chief Administrative Officer reported as a reminder to everyone that on Monday, March 25, 2013 there will be a special meeting of the Board of Supervisors to receive an update and/or reports on the following: 1) Targeted General Plan Amendment; 2) Land Use Programmatic Plan Update; 3) Economic Development Proposal; and 4) Parks and Recreation recommendation.

In addition, on Tuesday, March 26, 2013 one of the items discussed at the Regular Board of Supervisors meeting will be the County's Strategic Priorities. The topics that will be discussed in the Strategic Priorities are: 1) Human Resources and Risk; 2) Facilities; 3) Economic Development; 4) Department Accountability and Culture; and 5) Information Technology Infrastructure.

**CONSENT CALENDAR**

1. 13-0007 Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, March 5, 2013.  
**This matter was Approved on the consent calendar.**
2. 13-0263 Chief Administrative Office recommending the Board:  
1) Authorize the Department to enter into lease negotiations with the owners of parcel 097-202-48-100 at 768 Pleasant Valley Road, Diamond Springs for lease of a building for purposes of County Health and Human Services; and  
2) Appoint Russ Fackrell as the real estate negotiator on behalf of the County for the negotiation.

**FUNDING:** Health and Human Service Special Revenue.

**This matter was Approved on the consent calendar.**

3. [13-0193](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retired Captain Marc Adams.  
**This matter was Approved on the consent calendar.**
4. [13-0158](#) Chief Administrative Office, Procurement and Contracts, recommending the Board approve the following pertaining to the Placerville Jail Sewer In-Line Shredder Project:  
1) Adopt and approve the plans and contract documents;  
2) Authorize the Chair to sign the plans;  
3) Authorize advertisement for construction bids (Bid No. 13-968-042).  
**FUNDING:** Criminal Justice Special Revenue Fund.  
**This matter was Approved on the consent calendar.**
5. [13-0126](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 184-S1110 with BHC Heritage Oaks Hospital, Inc., increasing the not-to-exceed amount from \$58,500 to \$426,000 with no change to the term of the Agreement, for the provision of inpatient mental health treatment for County clients, with a term July 1, 2010 through June 30, 2013.  
**FUNDING:** State and Federal funds.  
**This matter was Approved on the consent calendar.**
6. [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. (Cont'd 3/5/13, Item 17)  
**This matter was Approved on the consent calendar.**

7. [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) (Cont'd 3/5/13, Item 18)

**FUNDING:** NorthNet Library System Funds.

**This matter was Approved on the consent calendar.**

8. [13-0207](#) Sheriff's Office recommending the Board authorize the Sheriff to sign the Fiscal Year 2013/14 Boating Safety and Enhancement Financial Aid Contract (003-F1411) with the California Department of Boating and Waterways in the amount of \$319,546 for the term July 1, 2013 through June 30, 2014 to provide boating safety and enforcement activities on the County's rivers and lakes.

**FUNDING:** State of California Department of Boating and Waterways.

**This matter was Approved on the consent calendar.**

9. [12-1385](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Catherine A. Bos, Trustee of the Bos Revocable Trust Dated June 22, 2007, for Assessor's Parcel Number 071-390-10; and
  - 2) Authorize the Interim Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Northside School Class I Bike Path - Phase 2 (SR49) Project, CIP No. 72306.

**FUNDING:** State Safe Routes to School Grant Funds, Regional Surface Transportation Program Rural Exchange Funds and Transportation Development Act Funds from the El Dorado County Transportation Commission.

**This matter was Approved on the consent calendar.**

10. [13-0023](#) Transportation recommending the Board authorize submittal of the County of El Dorado's Pollutant Load Reduction Plan for the Lake Tahoe Basin 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 requirement.

**FUNDING:** General Fund and Public Utility Franchise Fees.

**This matter was Approved on the consent calendar.**

### END CONSENT CALENDAR

### DEPARTMENT MATTERS/NOTICED HEARING

11. [07-192](#) Air Quality Management District recommending the Board revise the approved Chimney Smoke Reduction Program by increasing the incentive amounts as described in Attachment 6B.

**FUNDING:** Air Quality Management District Chimney Smoke Reduction Budget, Index Code 433110.

*PUBLIC COMMENT*

*S. Taylor*

**A motion was made by Supervisor Nutting, seconded by Supervisor Veerkamp, to approve the Chimney Smoke Reduction Program by increasing the incentive funding amounts to \$601.00 for replacement of devices and \$701.00 for removal of devices to cover the cost of the permit, if applicable, and subject to approval by the Air Pollution Control Officer.**

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago

12. [13-0221](#) Chief Administrative Office recommending the Board receive and file the 2012 Annual Housing Element Implementation Progress Report following public comment for submittal to the State Department of Housing and Community Development.

**A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco, to approve this matter.**

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago

13. [09-1254](#) Supervisor Nutting recommending the Board authorize the Chair to sign a letter to David Young, Esq., an attorney representing various miners and mining organizations and their lawsuit against the State of California and the prohibition on suction dredging mining.

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

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago

#### 10:00 A.M. - TIME ALLOCATION

14. [11-0833](#) Presentation by the Marshall Foundation regarding the "Employees for a Healthier Community" Giving Campaign and request for direction to move forward with an employee campaign plan. (Est. Time: 10 Min.)

**A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to approve the Memorandum of Understanding (MOU) with Marshall Foundation for Community Health and extend the term of the MOU to three years.**

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago

15. [13-0211](#) Presentation by Matt Semonsen of American River Music providing an annual status report for promotional funding. (Est. Time: 10 Min.)

**Received and Filed.**

16. [13-0106](#) Chief Administrative Office recommending the Board adopt Resolution **025-2013** in support of the Next Economy Capital Region Prosperity Plan. (Est. Time: 10 Min.)

*PUBLIC COMMENT*

*L. Brent-Bumb*

*V. Chelseth*

*S. Taylor*

*E. Veerkamp*

*P. Chelseth*

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to adopt Resolution 025-2013 in support of the Next Economy Capital Region Prosperity Plan.**

**Yes:** 3 - Briggs, Veerkamp and Nutting

**Noes:** 1 - Mikulaco

**Absent:** 1 - Santiago

**11:00 A.M. - TIME ALLOCATION**

17. [13-0206](#) Health and Human Services Agency and Chief Administrative Office recommending the Board receive a presentation on the Affordable Care Act. (Est. Time: 30 min.)

Received and Filed.

**2:00 P.M. - TIME ALLOCATION**

18. [13-0024](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z11-0007/Tentative Map TM11-1504/Wilson Estates on property identified by APNs 126-070-22, 126-070-23, and 126-070-30, consisting of 28.18 acres, in the El Dorado Hills area, submitted by Ann Wilson, Lisa Vogelsang, Catherine Ryan, and Julie Ryan; and recommending the Board take the following actions:
- (1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
  - (2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures listed in Attachment 1;
  - (3) Approve Z11-0007 rezoning APNs 126-070-22, 126-070-23, and 126-070-30 from One-Acre Residential (R1A) to One-Family Residential (R1) based on the Findings listed in Attachment 1;
  - (4) Conditionally approve Tentative Map TM11-1504 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
  - (5) Approve the request for a Design Waiver to allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters; and
  - (6) Adopt Ordinance **4993** for said rezone. (Est. Time: 1.5 Hrs.) (Supervisory District 1)(Cont'd 1/29/2013, Item 23)
- (Applicant's attorney is requesting this matter be continued off-calendar, and re-noticed at a future time.)**

*PUBLIC COMMENT*

*E. Van Dyke*

**A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to continue this matter off-calendar.**

**Yes:** 4 - Briggs, Mikulaco, Veerkamp and Nutting

**Absent:** 1 - Santiago



**13-0011****ITEMS TO/FROM SUPERVISORS**

**Supervisor Mikulaco updated the Board on the Joint Powers Authority (JPA) Southeast Connector Meeting.**

**Supervisor Nutting reported that it was interesting to see how businesses from the County of El Dorado are doing business around the world.**

**Supervisor Veerkamp reported that he has requested staff's help to look into some of the County's fees and their justification. And he reported that he is looking into the status of some of the projects in the Planning Department, in the efforts of trying to move some economic development in the County.**

**Supervisor Briggs updated the Board on the make-up of the Sierra Nevada Conservancy. He also reported on the areas of focus that the Conservancy will be targeting, such as: water, water in the forest, forestry related issues such as scrubbing, and brushing projects, and removing mercury from old abandoned mines throughout the State. In addition, he reported that the Conservancy would like to do some outreach to the community and outlying areas that will provide some education on where water comes from in California.**

**ADJOURNMENT**

**CLOSED SESSION**

19. 13-0208 **Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1).** Title: El Dorado County v. EDH 52 - Eminent Domain. (Est. Time: 15 Min.)  
**No Action Reported.**
20. 13-0242 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Ken Sherrod and Zolane Sherrod vs. El Dorado County. (Est. Time: 20 min.)  
**No Action Reported.**
21. 12-0835 **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as follows:  
1) APN 121-280-12, 118-170-04 Huddinge Partners, a Nevada Limited Partnership. The person or persons with whom the negotiator may negotiate is Bradley Rotter;  
2) APN 122-720-09 (approx. 6.26 acres, south of H50) Douglas Grant Line Assoc. Ltd., a Limited Partnership as to an undivided 45.6% interest; and Sacramento Realty Investors - El Dorado Ltd., a Limited Partnership as to an undivided 45.6% interest, and Sacramento Realty Investors - Clarksville, Ltd., a Limited Partnership as to an undivided 8.8% interest. The person or persons with whom the negotiator may negotiate is Robert M. Matz.  
  
Instructions to negotiator will concern price and term of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min. )  
**No Action Reported.**
22. 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.**

23. 13-0258

**Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 768 Pleasant Valley Road. The person or persons with whom the negotiator may negotiate are Steven M. Abel and Laura B. Abel 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.**