



# County of El Dorado

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

## Minutes - Final 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*

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Tuesday, October 1, 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.

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<http://eldorado.legistar.com/Calendar.aspx>

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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.

#### **8:06 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

#### **9:16 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

**Present:** 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Nutting

#### **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

**Pastor Dave Cooke from Cold Springs Community Church provided the Invocation.**

**Supervisor Veerkamp led the Pledge of Allegiance to the Flag.**

#### **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 CONSENT CALENDAR 1**

*Public Comment: K. Payne, J. Copeland*

**A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt the agenda and approve Consent Calendar 1 with the following changes: Pull item 5 to be discussed, correct the contract term expiration date for Item 8 to August 31, 2016.**

**Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting

**APPROVAL OF CONSENT CALENDAR 2**

**A motion was mde by Supervisor Santiago, seconded by Supervisor Veerkamp, to approve Consent Calendar 2 with the following change: Move Item 21 to Consent Calendar 2.**

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

[13-1290](#)

**OPEN FORUM**

*Public Comment: K. Payne, J. Copeland, M. Lane*

**CAO UPDATE**

**No CAO Update.**

**CONSENT CALENDAR 1**

- 1. [13-1105](#) 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 and economical to engage an outside consultant to provide expert consultation and advice regarding County operations, ordinances, and policies; and
  - 2) Authorize the purchasing Agent to execute Amendment I to Agreement No. 392-S1210 with Martha Shaver, an individual, extending the term through December 31, 2014 and increasing the compensation by \$74,682 for a total not to exceed amount of \$135,000.

**FUNDING:** General Fund.

**This matter was Approved on Consent Calendar 1.**

- 2. [13-1165](#) 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 Consent Calendar 1.**

3. [11-1440](#) Chief Administrative Office recommending the Board adopt a West Slope Animal Shelter Donor Recognition Policy.  
**This matter was Approved on Consent Calendar 1.**
4. [13-1129](#) Community Development Agency and Human Resources Department recommending the Board consider the following:  
1) Approve classification specifications for the positions of Traffic Engineer and Transportation Planner; and  
2) Adopt Resolution **149-2013** establishing salary ranges and bargaining unit designations for same.  
  
**FUNDING:** Road Fund, Tim Fees, Developer Fees, General Fund.  
**Resolution 149-2013 was Adopted upon Approval of Consent Calendar 1.**
5. [13-1247](#) Chief Administrative Office, Risk Management Division, recommending the Board approve a Health Fund dividend in pay period 24, 2013 affecting departments, employees and retirees in the Health Benefit Program.  
  
**FUNDING:** Health Fund.  
**A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to Continue this matter to October 22, 2013.**  
**Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting
6. [13-1157](#) Child Support Services, Revenue Recovery Division, recommending the Board authorize the Chair to sign Agreement for Services 221-S1411 with the California Franchise Tax Board to allow continued participation in the Court Ordered Debt Collection Program.  
  
**FUNDING:** Administrative Fees charged by the Franchise Tax Board on amounts collected from debtors.  
**This matter was Approved on Consent Calendar 1.**

7. [13-0670](#) Probation Department recommending the Board authorize the Chair to sign Amendment III to Agreement 180-S1110 with Northpointe, Inc. to add access to the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS). COMPAS Youth and Case Plan module provide "as-requested" training for use of module access and user license fees of the web-based assessment software, including annual maintenance and support. This amendment will add \$25,000 to the current agreement of \$60,500 for a total not to exceed amount of \$85,500 for the remainder of the contract which expires April 30, 2014.

**FUNDING:** General Fund.

**This matter was Approved on Consent Calendar 1.**

8. [13-1177](#) The Sheriff's Office is recommending the Board approve the signing of a non-standard contract with Covanta Stanislaus Inc., for secure waste-to-energy disposal of non-hazardous materials for the term September 1, 2013 through August 31, ~~2013~~ 2016 in an amount not to exceed \$30,000.

**FUNDING:** General Fund.

**This matter was Approved on Consent Calendar 1 with the correction to the contract term expiration date to August 31, 2016.**

9. [12-1186](#) Supervisor Briggs recommending the Board adopt a Proclamation recognizing October 2013 as "Domestic Violence Awareness Month."

**This matter was Approved on Consent Calendar 1.**

10. [13-1237](#) Supervisor Santiago requesting the Board approve Travel and Expenses for participation at the 119th California State Association of Counties (CSAC) Annual Conference in San Jose from November 19th - 22nd, 2013 for an estimated expense of \$1,200 paid out of the Clerk's budget and in accordance with applicable Board policies.

**This matter was Approved on Consent Calendar 1.**

**CONSENT CALENDAR 2 (Supervisor Nutting did not participate)**

11. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Regular Meeting Minutes from Tuesday, September 24, 2013.

**This matter was Approved on Consent Calendar 2.**

12. [13-1134](#) District Attorney recommending the Board receive and file the Eighth Annual Report on Real Estate Fraud for Fiscal Year 2012/2013.

**FUNDING:** Real Estate Fraud Prosecution Trust.

**This matter was Approved on Consent Calendar 2.**

13. [11-1431](#) Health and Human Services Agency, Social Services Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment I to Agreement for Services 294-S1211 with Teresa McIntyre-Harlow, Ph.D. for the provision of therapeutic counseling services and related services on an "as requested" basis. Amendment I adds certain services, clarifies language to ensure the contract continues to meet County requirements, and increases the maximum compensation by \$100,000 to a maximum not-to-exceed compensation of \$200,000 during the term ending January 26, 2015; and
  - 2) Authorize the Chief Administrative Officer or designee to execute further documents relating to Agreement for Services 294-S1211, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

**FUNDING:** 85% Federal/State Social Services funding with required 15% County share of costs met primarily with realignment resources.

**This matter was Approved on Consent Calendar 2.**

14. [12-0132](#) Health and Human Services Agency, Social Services Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment I to Agreement for Services 308-S1211 with James N. Hardwick dba New Leaf Counseling Services for the provision of therapeutic counseling, in-patient and out-patient substance abuse treatment services, substance abuse testing, and other related services, on an “as requested” basis for clients referred by the Health and Human Services Agency, with no change to the maximum not-to-exceed compensation or term. Amendment I clarifies certain language to ensure the contract continues to meet County requirements; and
  - 2) Authorize the Chief Administrative Officer or designee to execute further documents relating to Agreement for Services 308-S1211, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

**FUNDING:** Funded with a blend of Federal and State funds (85%) with County share of cost or required match (15%) met primarily with realignment resources.

**This matter was Approved on Consent Calendar 2.**

15. [13-1135](#) Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign retroactive Agreement 040-S1411 with Foothill Indian Education Alliance for the term July 1, 2013 through June 30, 2014 and with a maximum contractual obligation of \$125,725; and
  - 2) Authorize the Chief Administrative Officer or their designee to execute further documents relating to Agreement for Services 040-S1411, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

**FUNDING:** Mental Health Services Act (“MHSA”) Prevention and Early Intervention funding.

**This matter was Approved on Consent Calendar 2.**

16. [13-0655](#) Probation Department recommending the Board authorize the Chair to sign Amendment I to Agreement 007-S1411 with 3M Electronic Monitoring, Inc. to incorporate the Western States Contracting Alliance-National Association of State Procurement Officials (WSCA-NASPO) master price agreement with 3M Electronic Monitoring, Inc., Washington Contract Number 00212, Participating Addendum, to ensure El Dorado County will be invoiced per the master price agreement.

**FUNDING:** AB 109 and General Fund.

**This matter was Approved on Consent Calendar 2.**

17. [11-0606](#) Sheriff's Office recommending the Board authorize the Chair and the Sheriff to sign a Modification to the Cooperative Law Enforcement Agreement, 13-LE-11051360-008, between the El Dorado County Sheriff's Office, the United States Department of Agriculture, United States Forest Service El Dorado National Forest, and the United States Forest Service Lake Tahoe Basin Management Unit for the enforcement of State and local laws related to the administration and regulation of National Forest Service (NFS) lands, to modify the start date from June 25, 2013 to October 1, 2012.

**FUNDING:** United States Forest Service (USFS).

**This matter was Approved on Consent Calendar 2.**

**END CONSENT CALENDAR**



**10:00 A.M. TIME ALLOCATION**

- 18. [13-1101](#) Supervisor Veerkamp recommending the Board receive a presentation provided by Dr. Veronica Velasquez-Morfin, Medical Director of the El Dorado Community Health Center about their program and services. (Est. Time: 15 Min.)

*Public Comment: K. Payne*

**Received and Filed**

**DEPARTMENT MATTERS 1**

- 19. **12-0965** Supervisor Santiago requesting the Board make a final decision regarding the Property Assessed Clean Energy (PACE) program in conjunction with Ygrene Energy Fund. (Cont'd 6/11/13, Item 32)

*Public Comment: J. Harn, C. Raffety, K. Weiland, K. Payne, K. Calhoun, J. Hovey, D. Boll, K. Merson*

**A motion was made by Supervisor Nutting, seconded by Santiago directing staff to move forward on a Property Assessed Clean Energy (PACE) partnership with Ygrene Energy Fund and bring back documentation for the Board's approval.**

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

**Noes:** 1 - Mikulaco

- 20. [13-1241](#) Supervisor Santiago requesting a Fee Waiver of Traffic Impact Mitigation Fees in the amount of \$68,940 for a Sierra at Tahoe project being constructed at the base lodge area, on federal land, with no increase in skier visits projected or additional traffic produced.

*Public Comment: J. Rice*

**A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to grant a Fee Waiver of Traffic Impact Mitigation Fees to Sierra at Tahoe in the amount of \$68,940. Motion failed 2-3.**

**Yes:** 2 - Santiago and Nutting

**Noes:** 3 - Briggs, Mikulaco and Veerkamp

**A motion was made by Supervisor Nutting to;**  
**1) Allow the project into the Commercial TIM fee deferral program; and**  
**2) Direct staff to analyze the TIM Fee program as it applies to recreation on Federal Lands.**

**Motion failed due to the lack of a second.**

**DEPARTMENT MATTERS 2 (Supervisor Nutting did not participate)**

21. [13-1145](#) The Sheriff's Office recommending the Board approve the acceptance of the retroactive grant funding from Letter of Agreement 2013-18 (County No. 629-F1311) with the United States Department of Justice Drug Enforcement Administration in the amount of \$80,000 for the period January 1, 2013 to December 31, 2013 to defray costs relating to the eradication and suppression of illicit marijuana.

**FUNDING:** United States Department of Justice Drug Enforcement Administration (US DOJ DEA).

This matter was Approved on Consent Calendar 2.

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

22. [13-0606](#) Chief Administrative Office, Parks Division recommending the Board receive a status report on the Sacramento Placerville Transportation Corridor (SPTC) and provide direction.

*Public Comment: M. Cory, C. Smith, L. Murray, J. Harville, K. Ricketts, J. Neau, B. Smart, K. Payne, M. Kennison, C. Drako.*

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to;**

- 1) Formally recognize that the trail is open and direct staff to return to the Board with next steps for a Natural Trail-hiking/biking/equestrian trail from Missouri Flat Road to the Sacramento/El Dorado County line and identify the appropriate CEQA review for the project; and**
- 2) Pursue any and every grant available relating to this multi-use, multi-modal corridor; and**
- 3) Direct staff to work with District II Supervisor on development of the Ordinance; and**
- 4) Direct staff to work with the El Dorado Transportation Commission on the Feasibility Study.**

**Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting

23. [13-1254](#) Supervisor Veerkamp recommending the Board consider giving direction to staff on the following:
- 1) Reinstatement of the TIM Fee Deferral Program for Residential (Policy B-15) with a change to the language that would require a repayment period of 15 years instead of the current 5 years; and
  - 2) Develop a new policy that would reduce the Building Department fees by 25 percent for the following project types: garages, granny flats, decks, additions and remodels. Establish a cap on the County-wide reductions to be \$500,000 per Supervisorial district per year. Policy to be evaluated annually and terminated in two years.

*Public Comment: W. Yonger, P. Smith, L. Brent-Bumb, S. Miller, J. Hoyt, G. Stiles, L. Marenko, S. Torres, K. Payne, C. Crisman, J.McCarl, J. Hovey, K. Calhoun, J. Tice, M. Ranalli, H. Penn, J. Borba, D. Ruiz, J. Hansel.*

**A motion was made by Supervisor Veerkamp, seconded by Briggs, directing staff to;**

- 1) Reinstate the Traffic Impact Mitigation (TIM) Fee Deferral Program for Residential projects (Policy B-15) with a change to the language that would require a repayment period of 15 years instead of the current 5 years; and**
- 2) Develop a new policy to be enacted by January 1, 2014 that would reduce the Building Department fees by 25 percent for the following project types: Garages, Granny Flats, Decks, Additions and Remodels. Said policy to be evaluated annually.**

**Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting

## ITEMS TO/FROM SUPERVISORS

**Supervisor Santiago adjourned the meeting in honor of Lake Valley Fire Paramedic and Firefighter Brandon Mitch Underhill.**

**Supervisor Mikulaco attended a meeting of the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA). The Connector project was affected by a Legislative act which gave a design build exemption.**

**Supervisor Veerkamp attended the Regional Council of Rural Counties annual and regular meetings with a report next week.**

**ADJOURNED AT 4:30 P.M.**

**CLOSED SESSION**

- 24. 13-1238 Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee and Jack Hughes of Liebert, Cassidy, Whitmore.  
Employee Organization: Operating Engineers Local No. 3 representing employees in the Probation Bargaining Unit. (Est. Time: 30 Min.)  
**No Action Reported. Supervisor Nutting did not participate.**
  
- 25. 13-1225 Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee.  
Unrepresented Employee: Employees covered under the Salary and Benefits Resolution for Unrepresented Employees, No. 323-2001, and all amendments thereto. (Est. Time: 30 Min.)  
**No Action Reported. Supervisor Nutting did not participate.**
  
- 26. 13-1215 Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Interim Director of Health & Human Services. (Est. Time: 20 Minutes)  
**No Action Reported. Supervisor Nutting participated in part.**

**ADDENDUM**

**CLOSED SESSION**

Additional language (underlined) added to agenda item 24

- 24. 13-1238 Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee and Jack Hughes of Liebert, Cassidy, Whitmore.  
Employee Organizations: Operating Engineers Local No. 3 representing employees in the Probation Bargaining Unit, El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units. (Est. Time: 30 Min.)  
**No Action Reported. Supervisor Nutting did not participate.**

**CONSENT CALENDAR 2**

- 27. [13-0814](#)** Community Development Agency, Transportation Division, recommending the Board authorize the Chair to sign Grant Agreement CTA 12 022 with the California Tahoe Conservancy for the Sawmill 2B Bike Path and Erosion Control Project (CIP No. 95192) in the amount of \$350,000 to provide funding for construction management and direct construction costs.  
  
**FUNDING:** California Tahoe Conservancy.  
**This matter was Approved on Consent Calendar 2.**