



County of El Dorado

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Minutes - Final Board of Supervisors

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

James S. Mitrising, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer
Robyn Drivon, County Counsel

Tuesday, September 23, 2014

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.

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

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

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

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Mark Cowles of the Highway Bible Church gave the Invocation.
Supervisor Veerkamp led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: M. Smith, L. Weitzman, M. Lane

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

- 1) Continue item 5 to October 7, 2014.**
- 2) Move item 26 to a 10:00 A.M. Time Allocation.**
- 3) Trail item 29 to the afternoon session.**

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

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: K. Payne, M. Smith, M. Lane, C. Bass

[14-1328](#)

CAO UPDATE (See Attachment)

CONSENT CALENDAR

1. [14-1317](#) Clerk of the Board recommending the Board approve the Minutes from the budget hearings of the Board of Supervisors on September 15, 2014 and September 17, 2014 and the regular meeting of the Board of Supervisors on September 16, 2014.
This matter was Approved on the Consent Calendar.

2. [14-1227](#) Clerk of the Board recommending the Board accept the following resignation and make the following appointment to the Fish and Game Committee:
 - 1) Accept the resignation of John Turner, Member at Large
 - 2) Appoint Larry R. Nelson, Member at Large, No Term Expiration**This matter was Approved on the Consent Calendar.**

3. [14-1242](#) Clerk of the Board, based upon the recommendation of the In-Home Supportive Services Advisory Committee, recommending the Board make the following appointments to the In-Home Supportive Services Advisory Committee:
 - 1) Appoint Myran Glick, Consumer Representative, Term Expiration 01/05/2015 (Vacant position)
 - 2) Appoint Kew Horton, Provider Representative, Term Expiration 01/05/2015 (Vacant position)**This matter was Approved on the Consent Calendar.**

4. [13-1310](#) Clerk of the Board recommending the Board receive and file the Fiscal Year 2013/14 Board of Supervisors district expenditures summary report for the period of July 1, 2013 through June 30, 2014.
This matter was Approved on the Consent Calendar.

5. **14-1246** Chief Administrative Office recommending the Board adopt a revised Board of Supervisors Policy A-3, Ordinances - New or Amended Development and Distribution of Board of Supervisors Policies. **Staff is recommending the Board continue this item to October 7, 2014.** (Cont. 9/16/14, Item 2)
This matter was Continued to October 7, 2014 upon Approval of the Consent Calendar.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

6. [14-1219](#) Chief Administrative Office, Procurement and Contracts Division, on behalf of Community Development Agency, Transportation Division, recommending the Board approve the following:
- 1) Award Request for Proposal No. 14-928-091 for on-call equipment, truck and automotive body work and painting services for county vehicles and equipment to Frank's Body Shop, Inc. and Hangtown Body Shop; and
 - 2) Authorize the Chair to sign agreements for services with each vendor in the amount of \$150,000 for a term of three (3) years.
- FUNDING:** Fleet Internal Service Fund.
- This matter was Approved on the Consent Calendar.**
7. [14-1147](#) Chief Administrative Office, Parks Division, recommending the Board consider the following:
- 1) Approve and accept funding for the following California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Project Agreements for Rubicon Trail projects for a total of \$225,200 and authorize the Chief Administrative Officer to execute Agreements and any amendments that do not change the dollar amount of said Agreement;
 - a) G13-03-06-G01 for Ground Operations-Annual Operations and Maintenance in the amount of \$113,651 (plus County match requirement of \$43,294); and
 - b) G13-03-06-S01 for Education and Safety in the amount of \$50,255 (plus County match requirement of \$18,000).
- FUNDING:** State, Sacramento Municipal Utility District Funds and Off Highway Vehicle Funds.
- This matter was Approved on the Consent Calendar.**
8. [12-1551](#) Community Development Agency, Long Range Planning Division, recommending the Board approve and authorize the Chair to sign Amendment 1 to the grant funded Agreement No.12-53616 with Texas Southern University, which allows the Community Development Agency to be paid for staff time to assist with the research project titled "Evaluation of Alternative Abrasives and Snow Plowing Practices and Road Sweeping/Vacuuming as Source Control BMPs for Load Reduction of Fine Sediment Particles and Particles Associated Phosphorus in Urban Roadway Storm Water". This amendment will extend the term of the Agreement from December 31, 2013 to December 31, 2014 and make other minor modifications.
- This matter was Approved on the Consent Calendar.**

9. [14-1169](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County job classifications; therefore, it is more economical and feasible to engage an independent contractor for environmental review services; and
 - 2) Approve and authorize the Chair to sign Agreement for Services No. 111-S1511 with North State Resources, Inc. in the not-to-exceed amount of \$147,000 for a term to become effective upon execution by both parties and expiring three years thereafter or upon completion of all issued Task Orders or Work Orders, whichever is later.

FUNDING: Various Capital Improvement Program Funding Sources that Fund Transportation Division's Projects (Federal Funds).

This matter was Approved on the Consent Calendar.

10. [14-1213](#) Elections Department recommending the Board declare the results of the official canvass of the August 26, 2014 mailed ballot election conducted by the Recorder-Clerk-Registrar of Voters for Pineoakio Road Zone of Benefit No. 98129.

This matter was Approved on the Consent Calendar.

11. [14-1212](#) Elections Department recommending the Board declare the results of the official canvass of the June 3, 2014 Statewide Direct Primary Election conducted by the Recorder-Clerk-Registrar of Voters.

This matter was Approved on the Consent Calendar.

12. [09-1504](#) Health and Human Services Agency recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Lease 575-L1411 with Ernest Fortino and Marie Fortino, Trustees or Successors of the 1994 Ernest Fortino and Marie Fortino Revocable Trust for ten (10) designated parking spaces located at 1029 Takela in South Lake Tahoe in the amount of \$350 per month for a term commencing upon execution by both parties and continuing on a month-to-month basis until terminated by one of the parties thereto;
 - 2) Authorize the Chair to execute amendments, if any, to Lease 575-L1411, which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management; and
 - 3) Authorize the Director of the Health and Human Services Agency or designee to terminate Lease 575-L1411 without cause pursuant to the Article titled "Termination".

FUNDING: Federal and State Funds with County share of cost met primarily with realignment funds.

This matter was Approved on the Consent Calendar.

13. [11-1122](#) Health and Human Services Agency recommending the Board receive and file Special Tax reports for County Service Area No. 3 and County Service Area No. 7, specific to the County of El Dorado ambulance services for Fiscal Year 2013/14.

FUNDING: Special Tax and Penalties.

This matter was Approved on the Consent Calendar.

14. [14-0918](#) Health and Human Services Agency recommending the Board consider final passage (Second Reading) of Ordinance **5011** adding Chapter 2.17 to Title 2 of the El Dorado County Ordinance Code to formalize the consolidation of the former Health Services and Human Services Departments into the Health and Human Services Agency. (Cont. 9/9/14, Item 24)

Ordinance 5011 was Adopted upon Approval of the Consent Calendar.

15. [14-1238](#) Health and Human Services Agency recommending the Board approve and authorize the Chair to sign a Proclamation recognizing September 2014 as National Preparedness Month.

This matter was Approved on the Consent Calendar.

16. [14-1215](#) Health and Human Services Agency recommending the Board accept Federal Fiscal Year 2014/15 grant funding for the provision of Supplemental Food Program for Women, Infants, and Children services and adopt Resolution **148-2014** to:
- 1) Authorize the Chair to sign Agreement 14-10248 with the California Department of Public Health, in the amount of \$784,874, during the term October 1, 2014 through September 30, 2015; and
 - 2) Authorize the Chief Administrative Officer, or designee, to execute any future amendments thereto, that do not affect the total dollar amount or the term, contingent upon approval by County Counsel and Risk Management; and
 - 3) Further authorize the Director of the Health and Human Services Agency, or designee, to continue to administer Agreement 14-10248 and execute any subsequent documents relating to said Agreement including required fiscal and programmatic reports.

FUNDING: Federal Grant Funding.

Resolution 148-2014 was Adopted upon Approval of the Consent Calendar.

17. [14-1216](#) Health and Human Services Agency recommending the Board adopt Resolution **150-2014** to:
- 1) Authorize the Chair to sign retroactive Agreement 14C-1807 and the accompanying Contractor Certification Clauses CCC-307 with the California Department of Community Services and Development in the amount of \$72,644 for the provision of U.S. Department of Energy Weatherization Assistance Program services during the term August 1, 2014 through June 30, 2015;
 - 2) Authorize the Chief Administrative Officer, or designee, to execute any future amendments which do not affect the maximum dollar amount or term of the Agreement and contingent upon approval by County Counsel and Risk Management; and
 - 3) Further authorize the Director of the Health and Human Services Agency, or designee, to continue to administer Agreement 14C-1807 and execute any subsequent documents relating to said Agreement including required fiscal and programmatic reports.

FUNDING: Federal Grant Funding.

Resolution 150-2014 was Adopted upon Approval of the Consent Calendar.

18. [13-1261](#) Human Resources Department recommending the Board approve and authorize the Chair to sign a Letter of Agreement with the El Dorado County Employees' Association, Local No. 1 to:
- 1) Update the language in Article 1, Section 2 acknowledging the June 21, 2011 Letter of Agreement addressing Retiree Health Contributions;
 - 2) Revise Article 7, Sections 3, 4, 10 and 13 to clarify the administration of on-call duty compensation and call-back compensation; and
 - 3) Consolidate and renumber sections for better organization of the document. (Cont. 9/16/14, Item 16)

This matter was Approved on the Consent Calendar.

19. [13-0984](#) Library Department recommending the Board approve and authorize the Chair to sign Amendment 1 to Agreement 178-S1411 with SirsiDynix to add Mobile Circ subscription.

FUNDING: General Fund and Library Taxes.

This matter was Approved on the Consent Calendar.

20. [14-1302](#) Recorder-Clerk-Registrar of Voters recommending the Board recognize September 23, 2014 as National Voter Registration Day.

This matter was Approved on the Consent Calendar.

21. [14-1243](#) Chief Administrative Office, Sheriff's Office and District Attorney recommending that the Board consider the following:
- 1) Accept the Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) and establish the revenue and appropriations for use of the grant award in the amount of \$18,825 for additional training funds for the Sheriff's Office, and training and purchase of law enforcement equipment and supplies for the District Attorney's Office; and
 - 2) Authorize the Chief Administrative Officer to sign accepting the grant award effective October 1, 2013 to September 30, 2015.

FUNDING: Justice Assistance Grant Program.

This matter was Approved on the Consent Calendar.

22. [14-1218](#) Sheriff's Office recommending the Board approve and authorize the Chair to sign a Cooperative Service Agreement with the El Dorado County Fire Protection District for medical support for the El Dorado Sheriff's Office (EDSO) Special Weapons And Tactics (SWAT) Team by providing Tactical Medics (TM) who are paramedics specially trained and qualified to provide medical support to the EDSO SWAT Team during call-outs/missions and training. This Cooperative Service Agreement will become effective upon full execution by the parties hereto, and will remain in effect for one year after execution, and renewed annually at the election of the parties. The cost for Fire Protection District TMs is \$26.03 per hour and \$39.04 overtime rate per hour. The annual cost of this Agreement is estimated to be \$4,000.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

23. [14-0747](#) Treasurer-Tax Collector recommending the Board consider final passage (Second Reading) of Ordinance **5012** amending Chapter 3.29 of Title 3 of the El Dorado County Ordinance Code to add authority and establish new fees for reimbursement of auction costs on redemptions and unsold parcels and recoup costs from proceeds of sold parcels. (Cont. 9/9/14, Item 25)

FUNDING: Fees.

Ordinance 5012 was Adopted upon Approval of the Consent Calendar.

24. [14-0986](#)

Chief Administrative Office, Economic Development Division
recommending the Board:

- 1) Determine that a public benefit is derived from the 18th Annual Lake Tahoe Environmental Summit which took place on August 19, 2014;
and
- 2) Adopt Resolution **153-2014** authorizing a contribution in the amount of \$1,000 be made payable to the Tahoe Fund to contribute towards the costs of the event (Refer 7/22/14 Item 22).

FUNDING: Transient Occupancy Tax - General Fund.

This matter was Approved and Resolution 153-2014 was Adopted upon Approval of the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

25. [14-1208](#) Community Development Agency, Development Services Division, recommending the Board consider the following:
- 1) Support the purchase of 1,080 acres, known as El Dorado Ranch Phase 1B, for the purpose of oak woodland conservation, to be owned and managed in the future by the California Department of Fish and Wildlife;
 - 2) Approve and authorize the Chair to sign the Grant Agreement between the County of El Dorado and the American River Conservancy to pool their resources to conserve oak woodland habitat consistent with the County Oak Woodland Conservation Ordinance 4771; and
 - 3) Direct the County Auditor to release \$120,000 from the Oak Woodland Conservation Fund, established under Option B (General Plan Policy 7.4.4.4), to be placed in escrow for the purchase of said property by the American River Conservancy.

FUNDING: Oak Woodland Conservation Fund.

Public Comment: M. Lane, S. Taylor, M. Smith, A. Ehrgott, K. Payne

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

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

DEPARTMENT MATTERS

26. [14-1299](#) 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 the extreme wildland fire known as the King Fire. (Cont. 9/15/14, Item 3)

Public Comment: D. Graham, L. Becker

This item was moved to a 10:00 A.M. Time Allocation.

Received and Filed.

27. 14-1210

Community Development Agency, Development Services Division, recommending the Board adopt Resolution of Intention **154-2014** to amend portions of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the County Code expanding the public notification of public hearings for land development applications.

Public Comment: K. Payne, K. Beal, L. Parlin, S. Taylor, M. Smith

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Adopt Resolution of Intention 154-2014.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

A motion was made by Supervisor Briggs, seconded by Supervisor Frentzen to direct staff to return to the Board on October 21, 2014 with an amendment to Resolution 61-87, which would expand public notification to include existing projects and draft Environmental Impact Reports.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

28. [13-0778](#) Community Development Agency, Administration and Finance Division recommending the Board consider the following:
- 1) Make findings, in accordance with ordinance 3.12.160 (C), that competitive bidding for the operational lease of one motor grader would produce no economic benefit to the County;
 - 2) Approve Master Lease Agreement 0062929 (#648-O1411) and Amendment to Master Lease Agreement with John Deere Financial doing business as Deere Credit, Inc. of Johnston, Iowa for the Lease for one motor grader for the County Service Area No. 3. West Shore Snow Removal Zone of Benefit in the Tahoe Basin, acquired on behalf of the Agency's Transportation Division;
 - 3) Authorize the Purchasing Agent to execute the retroactive Master Lease Agreement and Amendment to Master Lease Agreement #648-O1411 for the period of June 1, 2014 through June 1, 2021 for twenty-eight quarterly lease payments of \$10,005.36 each in accordance with Lease Schedule 030-0062929-000 of the above referenced Master Lease Agreement for a total amount of \$280,150.08; and
 - 4) Authorize payment in the amount of \$20,010.72 to Deere Credit, Inc. for the first two quarterly payments under the Master Lease Agreement and Lease Schedule thereto upon execution of agreement. (Cont. 9/9/14, Item 9)

FUNDING: County Service Area No. 3, West Shore Snow Removal Zone of Benefit.

Public Comment: L. Weitzman, M. Smith

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to trail this matter to the afternoon session.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to:

- 1) **Make findings, in accordance with ordinance 3.12.160(C), that competitive bidding for the operational lease of one motor grader would produce no economic benefit to the County; and**
- 2) **Authorize the Community Development Agency to make a cash purchase of one motor grader in the amount of \$377,000 to be funded by:**
 - a) **\$175,000 from the County Service Agency (CSA) 3 budget; and**
 - b) **A loan in the amount of \$205,000 from the County's General Fund Contingency with an estimated three (3) year pay back to the General Fund by CSA 3.**

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

29. [14-1168](#)

Supervisor Santiago recommending the Board adopt resolution **157-2014** declaring an ongoing emergency due to the actual and perceived threat of wildfire in California, that the state and local governments have taken many steps to resolve this issue, and now urges the Governor to take an active role at the federal level to demand that the United States Forest Service take action in California's federal wild and forest lands to do the prevention and maintenance work required to mitigate the ongoing and increasing risk of catastrophic wildfires. (Cont. 9/16/14, Item 24)

Public Comment: L. Brent-Bumb, A. Clark, S. Taylor, R. Bimentell, M. Smith

Supervisor Santiago read the Resolution.

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to Adopt Resolution 157-2014 with the following changes to the language within the Resolution:

- 1) Correct typographical error; and**
- 2) Include references to "Department of Interior".**

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

2:00 P.M. - TIME ALLOCATION

- 30. [14-0219](#) Chief Administrative Office recommending the Board consider adoption of the County of El Dorado Budget for Fiscal Year 2014/15. (Cont. 9/17/15, Item 1)

Public Comment: T. Harvey, L. Weitzman, K. Weiland, V. Pierson, K. Payne, B. Dennis, R. Johnson, M. Cahill, M. Smith, J. Claybaugh

A motion was made by Supervisor Santiago to Adopt the Fiscal Year 2014/15 budget to include:

- 1) The three (3) percent forced salary savings, allowing departments to find these savings anywhere in their appropriations;
- 2) Fund the request from the Cameron Park Community Service District and El Dorado Hills Community Services District related to swimming pools via the Economic Development budget. (\$40,000);
- 3) Fund Aid to fire via Emergency Medical Services Agency (EMSA) in the amount of \$500,000 and direct staff to determine the potential use of \$315,000 out of Sacramento Metro Utilities District (SMUD) funds; and
- 4) Direct staff to establish a Budget advisory committee to work on other parking lot items.

Motion failed for lack of a second.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs to Adopt the Fiscal Year 2014/15 budget and:

- 1) Authorize a three (3) percent forced salary savings, allowing departments the flexibility to find these savings anywhere in their budgeted appropriations;
- 2) Authorize the Aid to Fire "Patch" to be paid out of contingency in the amount of \$815,000; and
- 3) Direct staff to establish an ad hoc Budget advisory committee to work on funding sources and other items on the Parking Lot for the 2014/15 Fiscal Year.

Yes: 3 - Briggs, Santiago and Veerkamp

Noes: 2 - Mikulaco and Frentzen

ITEMS TO/FROM SUPERVISORS

No Items To/From Supervisors.

ADJOURNED AT 5:35 P.M.

CLOSED SESSION

31. [14-1226](#) **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Claim of Bray v. County of El Dorado, et al; El Dorado Superior Court Case No. PC20120677. (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

32. [14-1301](#) **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 20 Min.)

No Action Reported. All five Supervisors participated.