



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, January 29, 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.

8:02 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

9:09 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Chaplain Tim Thompson.

The Pledge of Allegiance was led by Supervisor Veerkamp.

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 Veerkamp, seconded by Supervisor Mikulaco, to adopt the Agenda and approve the Consent Calendar with the following changes: Item No. 8 was continued off-calendar; Items 14 and 16 were added to the Consent Calendar.

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

13-0008

OPEN FORUM

M. Smith RE: Expressed support for the Second Amendment of the United States Constitution.

13-0010

CAO UPDATE

The Chief Administrative Officer presented a Strategic Planning and Budget Schedule to the Board of Supervisors.

CONSENT CALENDAR

1. 13-0007 Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, January 15, 2013.
This matter was Approved on the consent calendar.

2. 13-0071 Clerk of the Board of Supervisors recommending the Board approve a correction to Item 64 (Legistar File 12-1554) on the Board of Supervisors Regular Meeting Minutes of Tuesday, December 18, 2012.
This matter was Approved on the consent calendar.

3. 10-1139 Chief Administrative Office recommending the Board authorize the Chair to sign a letter to Alpine County terminating an existing agreement in which the El Dorado County Public Defender's Office provides indigent legal services to Alpine County, effective May 1, 2013.
This matter was Approved on the consent calendar.

4. 13-0018 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.

5. [13-0047](#) Chief Administrative Office, Risk Management Division, recommending the Board appoint Kim Kerr, Assistant Chief Administrative Officer, to serve as the Primary Board Member to the California State Association of Counties - Excess Insurance Authority (CSAC-EIA) with Sherri Adams, Principal Risk Management Analyst, as the Alternate Member.

This matter was Approved on the consent calendar.

6. [09-0576](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign retroactive Amendment III to Agreement 811-S0811 with Tahoe Youth and Family Services, Inc., for the provision of alcohol and drug counseling services during the term July 1, 2008 through June 30, 2009, increasing the Not-to-Exceed Amount to \$130,292.61 to allow payment of Cost Report settlement, with no change to the term of the Agreement.

FUNDING: State and Federal funding via the California Department of Alcohol and Drug Programs.

This matter was Approved on the consent calendar.

7. [12-0175](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment I to Agreement 417-S1210 with Robert Hartmann, M.D. thereby allowing for the continued provision of Interim Public Health Officer and Local Registrar for Vital Statistics services through June 30, 2013 and increasing the not-to-exceed amount of the Agreement by \$15,000 to \$51,000; and
 - 2) Delegate authority to the Director of Health and Human Services to terminate this agreement in accordance with the termination provisions at such time a permanent Public Health Officer is appointed to this position.

FUNDING: Public Health Realignment.

This matter was Approved on the consent calendar.

8. [13-0048](#) Health and Human Services Agency, Public Health Division, recommending the Board approve the advanced step placement of Diana Barrett to Step 5 of the salary range for Animal Control Operations Manager (\$5,690.53/month) to be effective January 30, 2013.

FUNDING: Salary costs savings, fines, fees, and realignment.

This matter was continued off-calendar upon approval of the Consent Calendar.

9. [07-1786](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign Amendment I to Lease Agreement 279-L0811, extending the term of the lease for two additional years from February 1, 2013 through January 31, 2015, and a total maximum obligation for the two additional years totaling \$171,890 with Wesley and Gertrude Wilkinson, Trustees of the Wilkinson Revocable Trust, for the ongoing use of the premises located at 3047 Briw Road, Placerville.

FUNDING: Funded with a blend Federal and State funds with County share of cost or required match met primarily with realignment resources.

This matter was Approved on the consent calendar.

10. [13-0057](#) Registrar of Voters recommending the Board appoint Lawrence Calof and Stephen A. Malley to the Board of Directors of the Fallen Leaf Lake Community Services District. These two persons are the only candidates who submitted declarations of candidacy for two vacant positions on the CSD Board set to be filled by election on March 5, 2013. The Elections Code requires that the Board of Supervisors appoint the candidates in lieu of election.

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT
(Supervisorial District V)

Vacancies: Two Directors (full terms) at Large

RECOMMENDED ACTION: Appoint two nominees that filed:
Lawrence Calof and Stephen A. Malley

This matter was Approved on the consent calendar.

11. [12-1349](#) Sheriff's Office recommending the Board consider the following:
1) Accept the Fiscal Year 2012 Homeland Security Grant Program award totaling \$188,862, which was included in the Sheriff's Fiscal Year 2012/13 Budget Addenda, and
2) Authorize the Sheriff, upon review and approval from County Counsel, to execute agreements with sub-grantees for reimbursement of certain expenses identified in the grant application and subsequent grant modifications, not to exceed the total amount of the grant of \$188,682.

FUNDING: Fiscal Year 2012 Homeland Security Grant Funds.

This matter was Approved on the consent calendar.

12. [12-1369](#) Department of Transportation recommending the Board take the following actions pertaining to the Boulder Mountain Erosion Control Project (CIP No. 95153):
- 1) Adopt the Mitigated Negative Declaration for the Boulder Mountain Erosion Control Project;
 - 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study (IS)/MND);
 - 3) Approve the Boulder Mountain Erosion Control Project as described in the California Environmental Quality Act Mitigated Negative Declaration; and
 - 4) Authorize the Interim Director Department of Transportation or designee to sign the Notice of Determination.

FUNDING: United States Forest Service Lake Tahoe Basin Management Unit and Tahoe Regional Planning Agency grant funds.

This matter was Approved on the consent calendar.

13. [12-0026](#) Department of Transportation recommending the Board authorize the Chair to sign Amendments to each of the West Valley Village Subdivision Improvement Agreements for Units 1B, 3A, 3B, 4, 5A, 6A, 6B, 6C and 7B.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

14. [13-0026](#) Sheriff's Office recommending the Board consider the following:
- 1) Authorize the Chair to sign Agreement for Services No. 338-S1310 with E-S Press Inc., to provide training titled "Emotional Survival for Law Enforcement" to Sheriff's Office staff on February 14-15, 2013, in an amount not to exceed \$9,595.58; and
 - 2) Waive the standard indemnity language in the County's contract as requested by the vendor.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

15. [13-0089](#) Supervisor Nutting and Supervisor Mikulaco recommending the Board adopt a Proclamation acknowledging February 23, 2013 as, "Peace Through Service Day" in the County of El Dorado. (Est. Time: 5 Min.)
A motion was made by Supervisor Nutting, seconded by Supervisor Veerkamp, to adopt the Proclamation.

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

16. [13-0087](#) Supervisor Briggs requesting the Board authorize the Chairman to adopt Resolution **006-2013** in support of the Second Amendment and the Right of the People to Keep and Bear Arms.

Resolution 006-2013 was adopted upon approval of the consent calendar.

17. [12-1569](#) Clerk of the Board of Supervisors recommending the Board consider appointments of Board Members to State and County Boards and Commissions:

Environmental Services Joint Powers Authority (ESJPA)

Appoint One (1) BOS Delegate

City/County Two by Two Committee

Appoint one (1) BOS Member

A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs, to appoint Supervisor Nutting as the Delegate to the Environmental Services Joint Powers Authority (ESJPA).

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

18. [13-0001](#)

Clerk of the Board of Supervisors recommending the Board make appointments to various Advisory and County appointed committees and commissions for 2013:

Aging Commission - Coterminous with the appointing Board Member

Reappoint Hal Erpenbeck, Member Dist 1, New Term Expiration, January 1, 2017

Reappoint Norman Smith, New Term Expiration, January 1, 2017

Appoint Mike Roberts, Member, Dist 3, New Term Expiration, January 1, 2017

Assessment Appeals Board - Three Year Term

Appoint (1) Member, Dist 1, New Term Expiration, September 1, 2016

Reappoint Sandi North, Dist. 3, New Term Expiration, September 1, 2016

Appoint (1) Member, Dist. 4, New Term Expiration, September 1, 2016

Reappoint Douglas Clymer, Dist 5, New Term Expiration, September 1, 2016

Building Appeals Board - Three Year Term

Reappoint Neil Moore, Engineer, New Term Expiration January 1, 2016

Reappoint Kathye Russell, Community at Large, New Expiration January 1, 2016

Appoint Colleen Malone, Construction Consultant, New Expiration January 1, 2016

Building Industry Advisory Committee - Three Year Term

Appoint Bill Carey, At-Large Member, New Term Expiration January 1, 2014

Appoint Colleen Malone, Alternate At-Large Member, New Term Expiration January 1, 2014

Cemetery Advisory Committee - Two-Year Term

Appoint (1) Member, Dist 1, New Term Expiration, January 1, 2015

Appoint (1) Fred Belt, Member, Dist 3, New Term Expiration, January 1, 2015

Appoint (1) BOS Alternate, New Term Expiration, January 1, 2015

Reappoint Joan Wicklund, Member, Dist 5, New Term Expiration, January 1, 2015

Clean Tahoe Community Task Force Two Year Term

Reappoint Peter Spellman, Member, Dist 5, New Term Expiration, January 1, 2015

Economic Development Advisory Committee One Year Term

Reappoint William T. Abraham, Member Dist. 1, New Term Expiration January 8, 2014
Reappoint Jim Brunello, Member Dist. 2, New Term Expiration January 1, 2014
Reappoint Charles D. Downs, Member Dist. 3, New Term Expiration. January 8, 2014
Reappoint Dale van Dam, Member at Large, Dist. 2, New Term Expiration. January 8, 2014
Reappoint Gordon Helm, Member at Large, Dist 1, New Term Expiration. January 8, 2014
Reappoint Maryann Argyres, Member, Dist 3, New Term Expiration January 8, 2014

El Dorado Solid Waste Advisory Committee - Five-Year Term

Reappoint Jeanne Lear, SLT Refuse Mbr, New Term Expiration January 1, 2018
Reappoint Don Nizolek, Public Mbr, New Term Expiration January 1, 2018
Reappoint Dickson Schwarzbach, Educational Consultant, New Termination January 1, 2018
Reappoint John Tillman, SLT Alternate, New Term Expiration January 1, 2018
Appoint Jeff England, El Dorado Disposal Member, New Term Expiration January 1, 2018
Appoint Mike Webb, City of Placerville Alt., New Term Expiration January 1, 2018

Environmental Services Joint Powers Authority (ESJPA)

Appoint Greg Stanton, Dep. Director EMD, Alternate Delegate
Appoint Michael Tilley, Env. Mgmt., Alternate Delegate
(This committee follows RCRC)

Fair Association Board of Directors - Coterminus with the appointing Supervisor

Per Chair's direction, the appointments to the Fair Association Board of Directors will be heard at a future date.

Fish and Game Committee - Four Year Term

Appoint Dennis Byrne, Member, Dist. 1, New Term Expiration January 1, 2017
Appoint one (1) Member, Dist 2, New Term Expiration January 1, 2017
Reappoint Kurt Mikkola, Member, Dist. 3, New Term Expiration January 1, 2017

Georgetown Airport Advisory - Four Year Term

Appoint Robert W. O'Hara, BOS Nominee, Dist 4, Term Expiration January 1, 2017

In Home Supportive Services Advisory Committee - Two Year Term

Reappoint Roger Lanzini, Community Rep., New Term Expiration January 1, 2015

Reappoint Lyle Azevedo, Community Rep., New Term Expiration January 1, 2015

Reappoint Carol Keates, Community Rep., New Term Expiration January 1, 2015

Reappoint Korrie Carlisle, Community Rep., New Term Expiration January 1, 2015

Vacancies (3) three, Community Rep, New Term Expiration January 1, 2015

Vacancy (1) one, Provider Mbr., NewTerm Expiration January 1, 2015

Library Commission - Four Year Term

Appoint one (1) Member, Dist. 1, New Term Expiration January 1, 2017

Appoint Kathleen Hughes, Member, Dist. 2, New Term Expiration January 1, 2017

Reappoint Barbara Raines, Member, Dist 3, New Term Expiration January 1, 2017

Local Disaster Council - Four Year Term

Appoint one (1) Member Dist 1, New Term Expiration January 1, 2017

Appoint Susan Fredericks, Dist 3, New Term Expiration January 1, 2017

Mental Health Commission - Three Year Term

Reappoint Richard Lynn, Mbr, SLT, New Term Expiration January 1, 2016

Reappoint Jan Melnicoe, Mbr. Western Slope, New Term Expiration January 1, 2016

Appoint Craig Therkildsen, Mbr. Western Slope, Term Expiration January 1, 2016

Appoint James Abram, Mbr Western Slope, Term Expiration January 1, 2016

Parks and Recreation Commission - Four Year Term

Appoint (1) One Member, Dist 1, Term Expiration January 1, 2017

Reappoint Charles Callahan, Dist 2 Mbr, New Term Expiration January 1, 2017

Reappoint Bob Smart, Dist 3 Mbr, New Term Expiration January 1, 2017

Placerville Airport Advisory Committee - Four Year Term

Reappoint Russ Sardina, Dist. 3 Non User Mbr, New Term Expiration January 1, 2017

Vacancies (2) two, User Grp, Term Expiration January 1, 2017

River Management Advisory Committee - Four-year Term

Appoint Keith Gershon, Non Commercial Boater Rep. New Term Expiration, January 1, 2017

Sierra Economic Development Corporation - Three Year Term

Reappoint Kathie Pacileo-Jenkins, Private Sector Mbr., New Term Expiration, January 1, 2016

Veterans Affairs Commission - Four Year Term

Appoint Todd Smith, Member Dist 1, Term Expiration January 1, 2017
Appoint Richard Buchanan, Member Dist 3, Term Expiration January 1, 2017
Appoint Kurt Raffetto, Alt. Member, Dist 3, Term Expiration January 1, 2017
Reappoint Timothy Thompson, Member, Dist 2, New Term Expiration January 1, 2017
Reappoint Eric Rasbold, Alt. Member, Dist 2, New Term Expiration January 1, 2017

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

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

10:00 A.M. - TIME ALLOCATION

- 19. [13-0058](#) Presentation by the El Dorado County Economic Development Advisory Committee highlighting "Business Showcase," a brief introduction to one of El Dorado County's unique businesses, Bloo Solar. (Est. Time: 20 Min.)

No Formal Action Required.

11:00 A.M - TIME ALLOCATION

- 20. [13-0079](#) Supervisor Briggs recommending the Board receive a presentation by Cameron Park Design Review Committee regarding community goals and design guidelines for Cameron Park. (Est. Time: 1 Hr.)

No Formal Action Required.

2:00 P.M - TIME ALLOCATION

- 21. [13-0080](#) PRESENTATION - Supervisor Mikulaco recommending the board receive a presentation from Tom Zlotkowski on the Capital Southeast Connector JPA, project update. (Est. Time: 30 Min.)

No Formal Action Required.

- 22. [13-0033](#) Hearing to consider a request submitted by Stanley and Joan Geel appealing the denial by the Agricultural Commission of a request for administrative relief from the agricultural setbacks on property identified by APN 048-080-50, consisting of 12 acres, in the Camino area; and Planning Services recommending the Board take the following action:

(1) Approve the appeal, thereby granting setback relief, reducing the agricultural setback from 200 feet to 30 feet for the eastern boundary for the deck requested in Building Permit 205973, as the deck meets the intent of the Zoning Ordinance setbacks and specific criteria for relief can be met as a man-made barrier already exists. (Est. Time: 20 Min) (Supervisorial District 3)

A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to Approve the appeal, thereby granting setback relief, reducing the agricultural setback from 200 feet to 30 feet for the eastern boundary for the deck requested in Building Permit 205973, as the deck meets the intent of the Zoning Ordinance setbacks and specific criteria for relief can be met as a man-made barrier already exists.

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

23. [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)

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco, to continue this matter to Tuesday, March 12, 2013 at 2:00 p.m.

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

13-0011

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco reported that he will bring an item before the Board for the purposes of updating the Board on the status of the County's fleet vehicles.

Supervisor Nutting reported that he attended the Annual Installation of Officers for the Regional Council of Rural Counties (RCRC). He welcomed fellow Board Members to get involved with RCRC.

Supervisor Veerkamp attended the Sacramento Area Council of Governments (SACOG) reorganizational meeting and was pleased to see that there were quite a few new representatives attending representing rural counties. He reported that he is happy with the Chief Administrative Officers report on the budget and the strategic prioritization. And lastly, he reported that he will be attending the New Supervisors' Training in February in Sacramento.

Supervisor Briggs reported that he attended the Local 1 dinner for the installation of officers on Saturday. He also reported that as the Chairman of the Board this year, he will be bring forward a series of presentations to discuss subjects such as: Elders, Senior services, Mental Health, to show how these issues integrate with the County's law enforcement, and code enforcement. He stated that he wants bring these topics forward to demonstrate that there are a lot of good things that can be done in local government.

ADJOURNED AT 4:17 P.M.

CLOSED SESSION

24. 13-0084 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.
25. 12-0443 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-0101520 x-ref: (Meyers Landfill Site). (Est. Time: 10 Min.)
No Action Reported.