



County of El Dorado

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Minutes - Final Board of Supervisors

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

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

Tuesday, April 15, 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.

8:00 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

Present: 4 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco and Supervisor Veerkamp

Absent: 1 - Supervisor Nutting

9:02 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

Present: 4 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco and Supervisor Veerkamp

Absent: 1 - Supervisor Nutting

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

APPROVAL OF CONSENT CALENDAR

Public Comment: N. Rangle

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs to Adopt the Agenda and Approve Consent Calendar 1 and Consent Calendar 2 together with the following changes:
Continue item 4 off calendar.
Pull item 9.**

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

APPROVAL OF CONSENT CALENDAR 2 (Due to Supervisor Nutting's absence, the Board approved Consent Calendars 1 and 2 with one motion).

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.

14-0591 OPEN FORUM

Public Comment: K. Payne, P. Raveling, J. Carney, B. Swift, M. Lane

CAO UPDATE

Kim Kerr, Assistant Chief Administrative Officer, announced that it is National Library Week. A recent Pew Research Institute survey of Americans revealed that 90% of Americans believe that libraries are important to their communities and 76% reported that libraries are important to them and their families. The library is celebrating National Library Week and all are encouraged to visit.

CONSENT CALENDAR 1

1. **14-0503** El Dorado County Fair Board of Directors inviting the Board of Supervisors to attend an informal luncheon and presentation on Tuesday, April 22, 2014 at 12:00 noon at the El Dorado County Fairgrounds.
- This matter was Approved on the Consent Calendar.**
- Yes:** 4 - Briggs, Santiago, Mikulaco and Veerkamp
- Absent:** 1 - Nutting
2. **14-0450** Chief Administrative Office, Parks Division, recommending the Board approve and authorize the Chair to sign Lease Agreement No. 514-L1411 with Kelley Rogers, doing business as Hangtown Skate Shop, for the 540 square foot building adjacent to Joe's Skate Park, to operate a skateboard shop and provide vending machine access for patrons using the skate park. The term of this lease is for three (3) years, beginning June 1, 2014 and ending May 31, 2017. The total annual lease payment amount is not to exceed \$1,170, with a total three (3) year payment amount not to exceed \$3,510.
- This matter was Approved on the Consent Calendar.**
- Yes:** 4 - Briggs, Santiago, Mikulaco and Veerkamp
- Absent:** 1 - Nutting
3. **14-0485** Chief Administrative Office, Procurement and Contracts on behalf of Community Development Agency - Transportation Division, recommending the Board consider the following:
- 1) Award Bid No. 14-288-057 for the purchase of hot applied asphalt cracksealer to the low qualified bidder, Crafcoc, Incorporated of Chandler, AZ;
 - 2) Approve and authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$120,000 for a three-year (3-year) term following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.
- FUNDING:** Road Fund - Discretionary (No Federal Funds).
- This matter was Approved on the Consent Calendar.**

4. **14-0108** Chief Administrative Office, Parks Division, recommending the Board recognize that since the acceptance of the Rubicon Trail Easement from the U.S. Forest Service, the area known as "Soup Bowl" is within the boundaries of that easement. It is also recommended that a short variant route, parallel and in addition to the existing route through the Soup Bowl area, be identified as a county recognized and maintained route. The County will maintain the area with the assistance from the users. (Cont. 4/1/14, Item 17)

This matter was Continued off calendar upon Approval of the Consent Calendar.

5. **14-0409** Community Development Agency, Transportation Division, recommending the Board authorize Transportation to proceed with ordering and payment of the title report and certified appraisal to commence the acquisition process for the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1C Riparian Restoration Project, CIP No. 71346, affecting portions of Assessor's Parcel No. 325-180-30, Taff and Dorothy Freitas.

FUNDING: Master Circulation & Funding Plan Financing (No Federal Funds).

This matter was Approved on the Consent Calendar.

6. **13-0474** Health and Human Services Agency, Public Health Division, recommending the Board ratify the Chair's signature on Agreement 034-S1411 and its Amendment I with California Forensic Medical Group, in the amount of \$3,086,493 for Fiscal Year 2013-14 for the period of July 1, 2013 through June 30, 2014. (6/25/13, Item 49). This action is required to correct the contract amount authorized by the Board in the previous action in order to reconcile the Board authorization to the contract amount.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

7. **14-0396** Health and Human Services Agency and the Human Resources Department are recommending the Board adopt resolution **035-2014** establishing the salary schedule and bargaining unit for the Merit System Services classification of Screener.

FUNDING: Position will be utilized in Fiscal Year 2014/2015 and will be included in 2014/2015 budget addendum.

Resolution 035-2014 was Adopted upon Approval of the Consent Calendar.

8. **14-0142** Sheriff's Office recommending the Board authorize the continuation of perpetual Maintenance Agreement No. 184-O1410 with NEC Corporation of America for maintenance of a Latent Finger Print Reader for the term August 5, 2014 to August 4, 2015 in the amount of \$3,708 plus special maintenance service charges on an as needed basis.

FUNDING: Cal-ID Remote Access Network funds.

This matter was Approved on the Consent Calendar.

9. **14-0474** Sheriff's Office and Human Resources recommending the Board approve and authorize the Chair to sign Resolution **036-2014** amending the Authorized Personnel Allocation Resolution 063-2013 for the Sheriff's office adding 1.0 Sheriff's Sergeant for the Boating and Off-Highway Vehicle (Rubicon Patrol).

FUNDING: California Parks and Recreation Department of Boating and Waterways and Off-Highway Vehicle Grants.

Public Comment: M. Lane

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Adopt Resolution 036-2014.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

10. **09-1096** Sheriff's Office recommending the Board authorize the continuation of perpetual Agreement 875-S0911 with Keefe Commissary Network, LLC an affiliate of The Keefe Group, for the term April 30, 2014 through April 29, 2015 to provide commissary goods to the inmates housed in the Placerville and South Lake Tahoe Jails.

FUNDING: Non General Fund - Inmate Welfare Fund.

This matter was Approved on the Consent Calendar.

11. **14-0504** Sheriff's Office recommending the Board adopt Resolution **038-2014** approving the submission of an application to California State Parks, Off Highway Vehicle (OHV) Division Grant Program in the amount of \$ 219,116 for law enforcement services on the Rubicon Trail.

FUNDING: OHV Grant Funds, and 25% match from the Sacramento Municipal Utility District Upper American River Project Federal Energy Regulatory Commission Special Revenue monies.

Resolution 038-2014 was Adoped upon Approval of the Consent Calendar.

- 12. 14-0484** Surveyor's Office recommending the Board adopt Resolution of Vacation **034-2014** for Abandonment of Easement No. 2004-01 to abandon a portion of the public utility easement on Lot 618 of West Valley Village Unit No. 5B-Phase 1, recorded at Book J of Subdivisions at Page 119, identified as Assessor's Parcel Number 118-620-01, requested by Meritage Homes of California, Inc. a California Corporation.

Resolution 034-2014 was Adopted upon Approval of the Consent Calendar.

CONSENT CALENDAR 2

- 13. 14-0535** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on April 8, 2014.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 AM - TIME ALLOCATION

- 14. 14-0541** Chief Probation Officer providing an update on the Juvenile Services Council and recommending the Board present to the Council a Certificate of Appreciation for the services they provide to our county institutions. (Est. Time: 15 Min.)
- Received and Filed. Supervisor Santiago presented the Juvenile Services Council with a Certificate of Appreciation.**
- 15. 14-0415** Supervisor Veerkamp recommending the Board join him in celebrating the Centennial Anniversary of the University of California Cooperative Extension (UCCE) by:
- 1) Receiving a presentation about the UCCE from Scott Oneto; and
 - 2) Adopt a Proclamation congratulating the UCCE on the 100th anniversary of the Smith-Lever Act. (Est. Time: 15 Min.)
- A motion was made by Supervisor Santiago, seconded by Supervisor Veerkamp to Approve this matter.**
- Supervisor Santiago read the Proclamation.**
- Yes:** 4 - Briggs, Santiago, Mikulaco and Veerkamp
- Absent:** 1 - Nutting

DEPARTMENT MATTERS

- 16. 14-0549** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Acknowledge the Transportation Division's receipt of two American Society of Civil Engineers (ASCE) awards for the 2013 ASCE Best Small Project of the Year for the Green Valley Road at Tennessee Creek-Bridge Replacement Project (CIP No. 77109) and for the 2013 ASCE Construction Project of the Year for the U.S.50/Missouri Flat Interchange Phase 1B Project (CIP No. 71336); and
 - 2) Receive a brief presentation illustrating project outcomes. (Est. Time: 5 Min.)
- Public Comment: K. Payne*
- Received and Filed.**

17. 14-0380**VERSION 2**

Community Development Agency, Administration and Finance Division, recommending the Board consider the following:

- 1) Review and accept the Engineer's Report, as amended December 12, 2013, supporting the proposed benefit assessment for the Green Valley Oaks Road Zone of Benefit;
- 2) Approve and authorize the Chair to sign Resolution **037-2014** authorizing commencement of an assessment ballot proceeding for the owners of property within the zone boundaries to consider levy of the benefit assessment for the Green Valley Oaks Road Zone of Benefit No. 98169;
- 3) Conduct a public hearing on June 10, 2014 at 10:00 a.m., at which the assessment ballots will be tabulated; and
- 4) If no majority protest exists, levy the subject benefit assessment to replace the existing special tax.

FUNDING: No federal funding.

Public Comment: K. Payne

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 037-2014.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

18. 13-1218

Community Development Agency, Long Range Planning, providing the Board with a Long Range Planning update including the Land Use Policy Programmatic Update (LUPPU).

Public Comment: K. Payne

Received and Filed.

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco attended on Friday the Capital Southeast Connector Joint Powers Authority (CSCJPA) meeting. There was a settlement agreement between an environmental group and the CSCJPA concerning the mitigation of property. Supervisor Mikulaco will be monitoring the implementation of the terms of the settlement agreement. Phasing (meaning where you start, how you start, what direction you take and who gets built first) has started and it does not look like El Dorado County will be at the top of the list. Supervisor Mikulaco stated that some attention needs to be paid to Scott Road, West Empire Ranch or Prairie City as avenues onto Highway 50.

Supervisor Veerkamp attended last week the monthly meeting of the El Dorado Water and Power Authority where there was a water update. There was also an update on the Water Plan Application.

Last Thursday night, Supervisor Veerkamp attended the Camino Community Action Committee meeting. The meeting hosted a drought and fire safety symposium.

Supervisor Veerkamp is an active member of the local Kiwanis Club and their goal this year is "To Make a Child Smile". On Saturday, in conjunction with the Placerville Lions, Placerville Parks and Recreation Department and the Fish and Game Commission rainbow trout was stocked in Lumsden Pond for families to fish.

This Saturday is the Easter Egg Hunt at Lions Park at 9:00 a.m.

The 70th Annual running of the John M. Studebaker wheel barrel race will take place on Saturday night as the premier event of the opening of the County Fair. Supervisor Veerkamp will be attending the Sacramento Area Council of Governments meeting this Thursday.

Supervisor Briggs wanted to remind everyone there is water in the American River. The settlement of the Upper American River Project with the Sacramento Metropolitan Utility District allows for water to come through the river Tuesday through Sunday. Supervisor Briggs announced that the river rafting industry is alive and well.

Supervisor Briggs let the Board of Supervisors know that the Caregiver Permit Program will be coming in front of the Board soon.

As part of the Child Protective Unit, a Human Trafficking presentation will be brought in front of the Board of Supervisors. Supervisor Briggs stated that there are incidents of child trafficking within the community.

Supervisor Santiago attended the Tahoe Transportation District Board meeting. There was a public hearing regarding the Nevada Stateline to Stateline Bikeway. The draft Transportation Work Plan has been completed.

ADJOURNED AT 11:40 AM

CLOSED SESSION

- 19. 14-0169** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Friends of Green Valley and Amy L. Anders v. El Dorado County, et al., (El Dorado County Superior Court Case No. PC20140019) Number of potential cases: (1). (Est. Time: 30 Min.)
- No Action Reported.** Supervisors Briggs, Mikulaco, Santiago and Veerkamp participated. Supervisor Nutting was absent.
- 20. 14-0512** Francisco Drive Right-Turn Pocket Project
Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator: Instructions to its negotiator regarding the real property described as the Francisco Drive Right-Turn Pocket Project located in El Dorado Hills at the intersection of Francisco Drive and El Dorado Hills Boulevard, at the north end of Wild Oaks Park APN 124-010-12-100. The person with whom the negotiator may negotiate is Brent Dennis. Instructions to negotiator will concern price and term of payment. Jeannette Lyon will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
- No Action Reported.** Supervisors Briggs, Santiago and Veerkamp participated. Supervisor Mikulaco recused himself. Supervisor Nutting was absent.
- 21. 14-0551** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported.** Supervisors Briggs, Mikulaco, Santiago and Veerkamp participated. Supervisor Nutting was absent.
- 22. 14-0562** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 15 Min.)
- Action Reported.** The Board voted 4-0 (Supervisors Briggs, Mikulaco, Santiago and Veerkamp participated. Supervisor Nutting was absent.) to authorize and direct the Auditor to pay the grievance of county employee Mr. Gonzalez as determined by the Human Resources Director.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or online) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)