



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

Tuesday, August 6, 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.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:
<http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us.

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

9:05 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 of the Cold Springs Community Church gave the Invocation. Supervisor Santiago led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar 1

PUBLIC COMMENT: K. Payne, E. VanDyke

A motion was made by Supervisor Mikualco, seconded by Supervisor Santiago, to Adopt the Agenda and Approve Consent Calendar Part 1 with the following change: Pull Item No. 2

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

Approval of the Consent Calendar 2

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to Approve Consent Calendar Part 2 with the following changes: Move Item Nos. 17 and 25 to Consent Calendar Part 2.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

OPEN FORUM

PUBLIC COMMENT: M. Kennison, P. Wilson

[13-0985](#)

CAO UPDATE

CAO Update on the following:

**District Attorney's new leased office space.
Cooperative Law Enforcement Agreement with United States Forest Service.
Frog and Toad Community Forum sponsored by Congressman Tom McClintock took place August 6, 2013 in Sonora, California.
Protect Local Agriculture Campaign.**

(See Attachment A for details)

CONSENT CALENDAR 1

1. [13-0884](#) 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.

2. [13-0898](#) Community Development Agency, Development Services Division, submitting for final map approval (TM05-1401-F) for Phase 1 of the Malcolm Dixon Road Estates creating one residential lot of 5.365 acres (Lot 8) and one lot of 35.289 acres (Lot A) on a 40.654 acre site on property identified by APN 126-100-23, located on the north side of Malcolm Dixon Road, one mile east of the intersection with Salmon Falls Road, in the El Dorado Hills area. (Supervisorial District 4)

PUBLIC COMMENT: R. Holderness, K. Payne, E. VanDyke, O. Sciorelli

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

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

3. [13-0900](#) Community Development Agency, Administration and Finance Division, recommending the Board receive and file the California State Controller's Fiscal Year 2008-2009 El Dorado County Road Fund Audit Report dated July 2013.

This matter was Approved on Consent Calendar 1.

4. [13-0906](#) Community Development Agency, Development Services Division, recommending the Board authorize a request submitted by Gerald Wells of Wells Barnett Associates, LLC on behalf of Alpine Smith, Inc., for a commercial floor area (CFA) allocation of 800 square feet to allow the installation of five 8' x 20' metal storage containers for the storage of five company snow removal vehicles within the Meyers Community Plan Area at 2355 Kaska Street on APN 035-182-03.

This matter was Approved on Consent Calendar 1.

5. [13-0949](#) Supervisor Santiago recommending the Board approve appointment of Mr. Charles Knowlton to the Happy Homestead Cemetery District Board of Trustees for a term to expire on January 1, 2015.

This matter was Approved on Consent Calendar 1.

CONSENT CALENDAR 2

6. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Regular Meeting Minutes from Tuesday, July 23, 2013 and Tuesday, July 30, 2013.

This matter was Approved on Consent Calendar 2.

7. [13-0220](#) Chief Administrative Office recommending the Board authorize the Auditor-Controller to make cash advances from the General Fund to various special revenue funds during Fiscal Year 2013-14 to alleviate negative cash conditions that may occur as a result of the timing of Federal, State and grant funding.

This matter was Approved on Consent Calendar 2.

8. [13-0885](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a 2008 Ford F450 Ambulance (Vin No.1FDXF47R08ED23936, JPA Tag No.128) currently assigned to the Emergency Services Authority as surplus and approve the transfer of the vehicle's chassis only to the El Dorado County Fire Protection District.

This matter was Approved on Consent Calendar 2.

9. [13-0892](#) Chief Administrative Office, Procurement and Contracts on behalf of the Health and Human Services Agency (HHSA), recommending the Board approve the following:
- 1) Award Request For Proposal (RFP) No. 13-918-054 for weatherization services with the following vendors; Conforti Plumbing of Placerville, CA; Jonas Heating and Cooling of El Dorado, CA; and Ski Air of Placerville, CA;
 - 2) Authorize the Chair to execute agreements upon approval of County Counsel and Risk Management; and
 - 3) Authorize the Purchasing Agent or their designee to execute any amendments relating to the agreements developed in association with RFP No. 13-918-054 which do not affect the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management; and
 - 4) Authorize the Director of the Health and Human Services Agency or their designee to administer and execute any subsequent administrative documents relating to said Agreements, including but not limited to required fiscal and programmatic reports.

FUNDING: LIHEAP (Low Income Home Energy Assistance Program.)

This matter was Approved on Consent Calendar 2.

10. [13-0935](#) Community Development Agency, Administration and Finance Division, recommending the Board authorize the acquisition of 16 vehicles and one air regenerative highway sweeper (fixed assets) prior to the adoption of the Fiscal Year 2013-2014 Budget.

FUNDING: Fleet Management Internal Service Fund, State CalRecycle Grant, Road Fund, USFS.

This matter was Approved on Consent Calendar 2.

11. [13-0881](#) District Attorney's Office, Sheriff's Office, Health and Human Services Agency, and Placerville Police Department recommending the Chair to sign Operational Agreement No. 133-M1411 for the term July 1, 2013 thru June 30, 2018 regarding use and maintenance of Multidisciplinary Interview Center (MDIC).

FUNDING: General Fund Outside Agency.

This matter was Approved on Consent Calendar 2.

END CONSENT CALENDAR

10:00 A.M. TIME ALLOCATION 1

12. [11-1303](#) Chief Administrative Office recommending the Board receive an update from the Economic Development Investment Team. (Est. 15 Min.)

Received and Filed.

13. [13-0946](#) Supervisor Nutting recommending the Board receive a presentation by Daryl Sullivan, President of the El Dorado County Bed and Breakfast Association, on lost Hotel Motel Tax revenues and fees. (Est. Time: 15 Min.)

PUBLIC COMMENT: K. Payne, V. Zentner

Received and Filed.

11:00 A.M. TIME ALLOCATION - CLOSED SESSION

14. **12-1301** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Bruce and Claudia Wade v. County of El Dorado, American River Conservancy, et al., El Dorado County Superior Court Case No. PC 20120264 (Est. Time: 60 Min.)

No Action Reported.

DEPARTMENT MATTERS 1

15. [13-0809](#) HEARING: Consider adoption of Resolution **114-2013** establishing the delinquent mandatory refuse collection fees for South Tahoe Refuse Company as a special assessment for the 2013/2014 tax year and providing for the collection thereof in the same manner as the ad valorem property taxes.

FUNDING: Solid Waste Collection Fees.

PUBLIC COMMENT: B. Davis

A motion was made by Supervisor Nutting, seconded by Supervisor Veerkamp, to adopt Resolution 114-2013.

Yes: 4 - Briggs, Santiago, Veerkamp and Nutting

Noes: 1 - Mikulaco

16. [13-0943](#) HEARING - Consider introduction (First Reading) of Ordinance **4998** amending Sections 9.45.080, 9.45.090, and 9.45.100 of Chapter 9.45 of Title 9 of the El Dorado County Ordinance Code pertaining to the cardroom ordinance, and recommending this item be continued to August 13, 2013 for final passage.

PUBLIC COMMENT: N. Paulson

A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco, to approve First Reading of Ordinance 4998 and continue the item to August 13, 2013 for final passage.

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

17. [13-0606](#) Chief Administrative Office, Parks Division, is recommending that the Board approve extending the running of an excursion train to Latrobe by the Placerville and Sacramento Valley Rail Road for a Pancake Breakfast Fundraiser on the last Sunday of each month from August 2013 through December 2013.

This matter was Approved on Consent Calendar 2.

2:00 P.M. - TIME ALLOCATION 1

18. [13-0331](#) Community Development Agency, Development Services Division, providing information on project noticing requirements, options for additional and alternative noticing requirements, and requesting Board direction regarding same.

PUBLIC COMMENT: K. Payne, K. Greenwood, K. Beal, K. Newell, L. Parlin, C. Lewis

No Formal Action. Staff was directed to return with recommendations pertaining to expanded notification options as outlined in the Staff Memo (Attachment 4A).

19. [13-0194](#) Chief Administrative Office, Facilities Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign the Purchase and Sale Agreement and Joint Escrow Instructions (PSA) No. 571-01311 with the owners of Assessor's Parcel No. 323-400-231 for purchase of a building for purposes of consolidation of leased facilities and needs related to deferred maintenance; and
 - 2) Authorize an escrow deposit of \$35,000.

FUNDING: Accumulative Capital Outlay / Reserve for Capital Projects.

PUBLIC COMMENT: K. Payne

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

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

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco attended a Capital Southeast Connector Joint Powers Authority (JPA) meeting with no major developments to report. He also attended a Sacramento Placerville Transportation Corridor Joint Powers Authority (SPTC JPA) meeting regarding budgeting of future studies.

Supervisor Veerkamp requests to attend the annual Regional Council of Rural Counties (RCRC) from September 25th through 27th, 2013. Supervisor Veerkamp to agendize this request for August 13, 2013.

ADJOURNED AT APPROXIMATELY 4:10 PM

CLOSED SESSION

20. 13-0667 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Potential Federal and State Administrative action(s) and/or Litigation arising from charges filed against a Supervisor. (Est. Time: 30 Min.)
- Action Reported.** The Board voted 4-0, with Supervisor Nutting not participating, to authorize the Chair to sign a letter to the District Attorney in response to his letter to the Board.
21. 13-0901 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 30 Min.) (Cont. 7/30/13, Item 37)
- No Action Reported.**
22. [13-0931](#) **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Human Resources Director. (Est. Time: 15 Min.) (Cont. 7/30/13 Item 36)
- No Action Reported.**
23. 13-0944 **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Interim Director of Information Technologies. (Est. Time: 30 minutes)
- Action Reported.** The Board voted 5-0 to appoint Kelly Webb as Interim Director of Information Technologies, effective the next full pay period at Step 5. The Board, by a 5-0 vote, rescinded their action taken on this matter at their July 23, 2013 meeting as a result of an administrative error.
24. 13-0947 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Clerk of the Board of Supervisors. (Est. Time: 20 minutes)
- No Action Reported.**

ADDENDUM

DEPARTMENT MATTERS

25. [13-0596](#) District Attorney recommending the Board authorize the Chair to sign the following Memorandums of Understanding for the term June 1, 2013 thru October 1, 2013 in support of the Holiday Driving Under the Influence Program - "Avoid the 30 Program", a cooperative effort to reduce alcohol related injury and fatal traffic collisions in El Dorado County:
- 1) Memorandum of Understanding No. 158-M1411 between the District Attorney and the Probation Department;
 - 2) Memorandum of Understanding No. 159-M1411 between the District Attorney and the El Dorado County Sheriff's Office;
 - 3) Memorandum of Understanding No. 160-M1411 between the District Attorney and the South Lake Tahoe Police Department; and,
 - 4) Memorandum of Understanding No. 161-M1411 between the District Attorney and the Placerville Police Department.

FUNDING: California Office of Traffic Safety - Grant No. AL1396.

This matter was Approved on Consent Calendar 2.