



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 20, 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.

8:03 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:22 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

Approval of Consent Calendar 1

**A motion was made by Supervisor Nutting seconded by Supervisor Mikulaco to Approve Consent Calendar 1 with the following change:
Move item No. 2 to Consent Calendar 2.**

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

Approval of Consent Calendar 2

A motion was made by Supervisor Veerkamp seconded by Supervisor Santiago to Approve Consent Calendar 2 with the following changes: Pull items No. 2 (later pulled and acted on separately) and No. 11, move item No.19 to Consent Calendar 1, move item Nos. 5 and 20 to August 27, 2013 and continue item No. 28 to August 27, 2013 and recommended it be considered on Consent Calendar 2.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

[13-1075](#) OPEN FORUM

PUBLIC COMMENT: Amy, P. Green, J. Schwartz, M. Villalobos, K. Payne, M. Bailey, J. Barbieri, M. Lane.

13-1076 CAO UPDATE

Thank you to Vince Janette, Acting Chief Probation Officer and Probation staff who, upon being made aware of a propane leak near the Juvenile Treatment Center in Placerville, acted promptly and efficiently to relocate all juveniles in the facility to the South Lake Tahoe Juvenile Treatment Center for two days. The staff took advantage of the vacant facility and performed a thorough cleaning before the return of the juveniles to the Placerville facility.

CONSENT CALENDAR 1

- 1. [13-0973](#) Auditor-Controller recommending the Board adopt Resolution **126-2013** superseding Resolution 118-2013 establishing the 2013/2014 rate of the tax levy for the taxing agencies in the County of El Dorado.

Resolution 126-2013 was Adopted upon Approval of Consent Calendar 1.

- 2. [13-1033](#) District Attorney and Chief Administrative Office recommending the Board approve the attached budget transfer increasing Fiscal Year 2012/2013 revenues and appropriations by \$10,734.95 for Real Estate Fraud, \$3,220.60 for Foreclosure Crisis and decreasing General Fund Contingency and increasing appropriations by \$50,000 to fund increased expenses related to retirements and extraordinary expenses related to two recently solved cold cases. (4/5 vote required)

FUNDING: Real Estate Fraud, Foreclosure Crisis, General Fund.

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

3. [13-1026](#) Community Development Agency and Human Resources Department recommending the Board consider the following:
- 1) Adopt Resolution **127-2013** establishing classification specifications, salary ranges and bargaining unit designations for the positions of Code Enforcement Officer I/II and Supervising Code Enforcement Officer; and
 - 2) Amend the Authorized Personnel Allocation for the Community Development Agency deleting 2.0 FTE Building Inspector I/II/III positions and adding 1.0 FTE Code Enforcement Officer I/II, 1.0 FTE Supervising Code Enforcement Officer, and 1.0 FTE Development Technician.

FUNDING: General Fund.

Resolution 127-2013 was Adopted upon Approval of Consent Calendar 1.

4. [13-0873](#) Supervisor Briggs recommending the Board consider the following:
- 1) Accept his resignation from the El Dorado County Water Agency Board of Directors; and,
 - 2) Appoint Supervisor Ron Mikulaco to the Water Agency Board to complete the remainder of Supervisor Briggs' term ending January 1, 2015.

This matter was Approved on Consent Calendar 1.

CONSENT CALENDAR 2

5. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Regular Meeting Minutes from Tuesday, August 13, 2103.

This matter was continued to August 27, 2013 upon approval of Consent Calendar 2.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

6. [13-0707](#) Community Development Agency, Administration and Finance Division, recommending the Board consider the following:
- 1) Authorize the Chair to execute Agreement for Road Zone Maintenance Services No. 134-S1411 with Doug Veerkamp General Engineering, Inc. in an amount of \$86,889 for a term of forty-five (45) working days to provide road maintenance and improvement services at the Arrowbee Estates Road Zone of Benefit 98201 located in the Lotus-Luneman area of County Service Area No. 2;
 - 2) Authorize the Acting Director of the Community Development Agency to sign the Notice of Acceptance upon completion of the project, and
 - 3) Authorize the Clerk of the Board to release the Payment and Performance bonds at the end of the one year guarantee period.

FUNDING: Arrowbee Estates Road Zone of Benefit Assessment Fees.

This matter was Approved on Consent Calendar 2.

7. [11-1349](#) Community Development Agency, Environmental Management Division, recommending the Board adopt Resolution **121-2013**, superseding Resolution 108-2013, authorizing the Division to act as a regional applicant to submit used Oil Payment Program Regional applications on behalf of itself as Lead Agency and that this authorization is effective for five (5) years from the date of adoption of this resolution from June, 2013 through May, 2018. This resolution is a requirement of the grantor.

FUNDING: California Oil Recycling Enhancement Act.

Resolution 121-2013 was Adopted upon Approval of Consent Calendar 2.

8. [13-0775](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from the State of California Department of Parks and Recreation, for Assessor's Parcel Numbers 033-020-03, 033-080-07 and 033-090-15; and,
 - 2) Authorize the Transportation Division Director or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Sawmill 2B Bike and Erosion Control Project, CIP No. 95192.

FUNDING: Tahoe Regional Planning Agency (TRPA) Air Quality Mitigation Funds.

This matter was Approved on Consent Calendar 2.

9. [11-0005](#) Community Development Agency, Transportation Division, recommending the Board:
- 1) Authorize the Chair to sign the Notice of Acceptance with C.W. Fox Construction, Inc. for the Wentworth Springs Road at Gerle Creek Bridge Replacement Project, CIP No. 77118; and
 - 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department after the one-year guarantee period.

FUNDING: Federal Highway Administration's Highway Bridge Program (HBP) and Toll Credits Program.

This matter was Approved on Consent Calendar 2.

10. [13-0604](#) Community Development Agency, Transportation Division, recommending the Board authorize the Chair to sign the Landscape Maintenance Agreement with the State of California Department of Transportation for the landscape maintenance of the bike paths placed within State Highway Right of Way along State Routes 49 and 193 for the Northside School Class I Bike Path - Phases 1 and 2 Projects, CIP No. 72304 (Phase 1, SR-193) and CIP No. 72306 (Phase 2, SR-49).

FUNDING: Road Fund.

This matter was Approved on Consent Calendar 2.

11. [13-0939](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **124-2013** thereby:
- 1) Authorizing the Chair to sign Agreement A3-1314-29 with the California Department of Aging in the amount of \$203,445 and the accompanying Contractor/Vendor Confidentiality Statement, for the provision of Title III/VII senior services during the term July 1, 2013 through September 30, 2013; and
 - 2) Authorizing the Chief Administrative Officer, or their designee, to execute any future amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the total dollar amount or the term and further authorize the Director of the Health and Human Services Agency, or successor, to continue to administer Agreement A3-1314-29 and execute any subsequent documents relating to said Agreement including required fiscal and programmatic reports.

FUNDING: State and Federal Funding.

A motion was made by Supervisor Mikulaco, seconded by Supervisor Santiago, to approve this matter and adopt Resolution 124-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

12. [13-0160](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **120-2013**, thereby:
- 1) Authorizing the Chair to sign Amendment 1 to Agreement 13B-5007 with the California Department of Community Services and Development increasing the maximum agreement amount by \$136,296, from \$904,435 to \$1,040,731, for the provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine counties during the term of January 1, 2013 through January 31, 2014; and
 - 2) Authorizing the Chief Administrative Officer, or their designee, to execute any future amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the total dollar amount or the term and further authorize the Director of the Health and Human Services Agency, or successor, to continue to administer Agreement 13B-5007, as amended, and execute any subsequent documents relating to said Agreement including required fiscal and programmatic reports.

FUNDING: Federal Grant Funding.

Resolution 120-2013 was Adopted upon Approval of Consent Calendar 2.

13. [13-0784](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **123-2013** authorizing the Director of the Health and Human Services Agency, or designee, to sign and submit an application to the California Department of Social Services, Community Care Licensing Division for a license to operate an Adult Day Program at the new Senior Day Care Center site in El Dorado Hills.

FUNDING: Fees for Service, Donations and General Fund Contribution.

Resolution 123-2013 was Adopted upon Approval of Consent Calendar 2.

14. [13-0954](#) Health and Human Services Agency and Human Resources recommending the Board adopt Resolution **125-2013** to amend the Authorized Personnel Allocation Resolution for the Health and Human Services Agency to add 3.0 Full Time Equivalent Eligibility Worker I/II/III for the implementation of the Affordable Care Act.

FUNDING: California Department of Social Services

Resolution 125-2013 was Adopted upon Approval of Consent Calendar 2.

15. [13-0927](#) Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign retroactive Amendment I to Agreement for Services 152-S1310 with Tahoe Youth and Family Services, Inc., for the provision of Specialty Mental Health services for minors, thereby extending the term to cover July 1, 2012 through June 30, 2015 and increasing the not-to-exceed amount to \$205,000 for the term of the Agreement; and
 - 2) Authorize the Chief Administrative Officer or their designee to execute further documents relating to Agreement for Services 152-S1310, 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: Federal and State funding.

This matter was Approved on Consent Calendar 2.

16. [13-0932](#) Health and Human Services Agency, Social Services Division, recommending the Board consider the following:
- 1) Authorize the Chair to execute perpetual Agreement for Services 633-S1211 with Greenacre Homes, Inc. for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis with a term that shall commence upon execution, with no end date, and a maximum not-to-exceed compensation of \$250,000 during any fiscal year; and
 - 2) Authorize the Chief Administrative Officer or their designee to execute further documents relating to the above noted Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum compensation 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.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION 1

17. [12-1058](#) Supervisor Briggs recommending the Board consider the following:
- 1) Receive a presentation from Dick Montgomery, California Prostate Cancer Coalition, on efforts to promote awareness and increase education about the importance of the early detection and testing for prostate cancer; and,
 - 2) Adopt a Proclamation declaring the month of September 2013 as "Prostate Cancer Awareness Month."

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

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

18. **13-0967** Supervisor Santiago recommending the Board conduct a public hearing and adopt Resolution **122-2013** to declare that the operation of a carnival at the Heavenly Valley Ski Resort California-side parking lot by Wold Amusements in conjunction with the Kiwanis Annual Community Fair on August 30, 2013 through September 1, 2013 will not endanger the public health, safety and welfare and that the operation of a carnival does not violate any zoning or health laws or regulations. This resolution is required for the approval of the business license submitted by Wold Amusements prior to the commencement of the carnival.

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to approve this matter and adopt Resolution 122-2013.

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

DEPARTMENT MATTERS 1

19. [13-0964](#) Chief Administrative Office, Economic Development Division, recommending the Board consider authorizing the Purchasing Agent to sign Memorandum of Understanding No.181-M1411 with Sustainable Tahoe in the amount of \$10,000 to provide funding assistance for the 2013 Tahoe Geotourism Expo to be held September 7-8, 2013.

FUNDING: General Fund - Transient Occupancy Tax (TOT).

This matter was Approved on Consent Calendar 1.

DEPARTMENT MATTERS 2

20. [13-1046](#) El Dorado Local Agency Formation Commission (LAFCO) recommending the Board authorize the Chair to sign the attached Reallocation Agreement between the County of El Dorado, LAFCO and the California Public Employees' Retirement System pending County Counsel review and approval.

This matter was continued to August 27, 2013 upon approval of Consent Calendar 2.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

2:00 P.M. - TIME ALLOCATION 1

21. [13-0995](#) Supervisor Veerkamp recommending the Board receive a presentation provided by Mike McKeever, Chief Executive Officer, Sacramento Area Council of Governments on the Blueprint Scenario for our region. (Est. Time: 45 Min.)

PUBLIC COMMENT: L. Price, A. Marinaccio, S. Ferry, S. Taylor, E. Veerkamp, F. Duchon, M. Danke.

Received and Filed.

22. [13-0988](#) Hearing to consider a request submitted by Carol Louis appealing the approval of Planned Development PD09-0005/Macauley Construction Headquarters by the Planning Commission on July 11, 2013 on property identified by Assessor's Parcel Number 319-260-51, consisting of 6.00 acres, located on the north side of Greenstone Cutoff Road, at the intersection with Greenstone Road in the El Dorado area; and Planning Services recommends the Board of Supervisors take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and
- 2) Deny the appeal, thereby upholding the approval of Planned Development PD09-0005 by the Planning Commission on July 11, 2013 based on Findings and subject to the Conditions of Approval listed in Attachment 1. (Supervisory District 3)

PUBLIC COMMENT: K. Payne, E. Louis, R. Macauley

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

- 1) Adopt the Mitigated Declaration based on the Initial Study prepared by staff and;
- 2) Deny the Appeal subject to the following changes to Project Description / Condition 1:

Phase I

Submit various permit application(s) within 12 months and finalized within 18 months with permit extensions to be considered only by the Board of Supervisors:

Comply with current building code

One (1) sign (50 sq. ft)

Planting of trees as shown on the Foothill Tree Plan

Two vehicular access encroachments (entry/exit) on Greenstone Cutoff

Phase II

Conceptual review of Phase II; Phase II requires Planning Commission approval before additional permits are approved

Address remaining tree mitigation requirements

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

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco attended the Tahoe Summit meeting in South Lake Tahoe on Monday, August 19, 2013.

Supervisor Nutting will be attending the regularly scheduled El Dorado Water and Power Authority and Water Agency meetings.

Supervisor Veerkamp is now the Chair of the Water Agency Board and Vice-Chair of the El Dorado Water and Power Authority. Pertaining to Consent Calendar 2 Item No. 6 on today's agenda, the contractor approved by the Board is Supervisor Veerkamp's brother. Supervisor Veerkamp disclosed that he does not have any financial interest in his brother's business. Ed Knapp, County Counsel, stated that Supervisor Veerkamp advised Counsel and there was no conflict of interest with the Supervisor voting on the agenda item.

There was a 100 acre fire on Saturday affecting the Patterson Ranch.

Supervisor Veerkamp will attend the Regional Council of Rural Counties meeting this week.

Supervisor Santiago reported that former Vice President Al Gore was the keynote speaker at the Tahoe Summit where discussion involved many regional officials on Tahoe Basin topics including climate change. Officials present included the Russian Ambassador to the United States, as there is an environmental exchange program between Lake Tahoe and Lake Baikal in the Siberia region of Russia. Legislation introduced a couple weeks ago regarding Lake Tahoe Restoration Act II for Federal funding in excess of \$400 million. The Lake Tahoe Restoration Act I was a \$1.6 billion dollar investment to improve lake quality over the last decade. Attended the Tahoe Fund dinner the night before the Summit where nearly \$300,000 was raised for lake projects including a bridge over Angora Creek and aquatic invasive species mitigation in Emerald Bay. Senate Majority Leader Harry Reid and the Nevada Congressional representative were in attendance.

ADJOURNED AT 6:44 P.M.

CLOSED SESSION

- 23. 13-0102 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Local Agency Formation Commission (LAFCO) Agency California Public Employees' Retirement System (CalPERS) Matter update. (Est. Time: 15 Min.)

No Action Reported.

- 24. 13-1036 Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Administrative Appeal of Record of Decision and Final Supplemental Environmental Impact Statement for the Eldorado National Forest Travel Management Plan Number of potential cases: (1). (Est. Time: 15)

No Action Reported.

- 25. 13-1040 Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Public Defender. (Est. Time: 20 Min.)

No Action Reported.

- 26. 13-1038 Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director of Human Resources. (Est. Time: 10 Min.)

The Board voted 5-0 to appoint Pamela Knorr as the Director of Human Resources.

The Board voted 5-0 to appoint Bobbi Bennett as Acting Director of Human Resources effective August 20, 2013 through the first date of employment of Pamela Knorr, expected to be September 9, 2013.

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

The Board voted 4-1 to appoint Pamela Knorr, Director of Human Resources, at Step 3 of the salary range.

Yes: 4 - Briggs, Santiago, Veerkamp and Nutting

Noes: 1 - Mikulaco

27. 13-1039

Pursuant to Government Code Section 54957- Public Employee Performance Evaluation. Title: Agricultural Commissioner Sealer of Weight and Measures. (Est. Time: 20 Min.)

The Board voted 4-1 to advance Charlene Carveth to Step 3 of the salary range effective the next full pay period and set Ms. Carveth's next performance evaluation for September 2014.

Yes: 4 - Briggs, Santiago, Veerkamp and Nutting

Noes: 1 - Mikulaco

ADDENDUM

DEPARTMENT MATTERS

28. [13-1061](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign a budget transfer related to year end close issues. (4/5 vote required)

This matter was continued to August 27, 2013 and recommended for Consent Calendar 2 upon approval of Consent Calendar 2.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

CLOSED SESSION

29. **13-1057** **Pursuant to Government Code Section 54957- Public Employment.**
Title: Resignation of Director of Human Resources. (Est. Time: 5 Min.)

The Board voted 5-0 to accept the resignation of Karl Knobelauch, Director of Human Resources, effective August, 19, 2013 pursuant to the resignation letter from Mr. Knobelauch.

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