



County of El Dorado

330 Fair Lane, Building A
Placerville, California
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www.edcgov.us/bos

MEETING AGENDA

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. Mitrison, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel

Tuesday, May 21, 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.

8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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.

OPEN FORUM

CAO UPDATE

CONSENT CALENDAR

1. [13-0537](#) Auditor-Controller recommending the Board receive and file the report on "Comparison of Actual Tax Proceeds to Adopted Appropriations Limit", the schedule of Prop 4 Compliance for FY 2011-2012 Actual Revenues, the schedule of Prop 4 Compliance for FY 2012-2013 Adopted Revenues and set a public hearing for June 11, 2013 at 9:00 a.m. for the discussion and adoption of the Appropriations Limit for Fiscal Year 2013-2014.

2. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, May 14, 2013.

3. [13-0099](#) Clerk of the Board of Supervisors recommending the Board receive and file the Board of Supervisors district expenditures summary report for Fiscal Year 2012/2013 through April 30, 2013.

4. [12-1346](#) Clerk of the Board of Supervisors recommending the Board approve a clarification to the Minutes from April 23, 2013 Item No. 23 as follows: A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to:
 - 1) Adopt Resolution 042-2013, and continue Ordinances 4995 and 4996 for consideration of final passage on April 30, 2013, and;
 - 2) Authorize the Chair to sign Agreement 569-O1311 with Roger Trout and Agreement 570-O1311 with Geralyn Silva to effectuate their transition from at-will department heads to the unrepresented administrative management unit and define the benefits and compensation they will receive in their new positions as division directors, subject to minor modification and approval by County Counsel.

5. [13-0563](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
 - 1) Approve perpetual Agreement No. 524-S1311 with GovPay Net to provide credit and debit card payment processing services for departments County-wide; and
 - 2) Authorize the Purchasing Agent to sign perpetual Agreement No. 524-S1311 between the County of El Dorado and GovPay Net for merchant payment services.

6. [13-0464](#) Chief Administrative Office, Procurement and Contracts on behalf of Community Development Agency - Department of Transportation - Fleet Unit, recommending the Board approve the following:
- 1) Award Bid No. 13-863-061 for the purchase of Fleet tires and studding services to the low qualified bidders, Sierra Nevada Tire & Wheel of Placerville, CA. for category "A", and U.S. Tire & Service of Sacramento, CA. for categories "B" and "C", category "D" for studding services will be awarded to both qualified bidders;
 - 2) Authorize the Purchasing Agent to issue blanket purchase orders in the combined amount of \$115,000 for a one-year (1-Year) period following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: Fleet Internal Service Fund - Operations.

7. [13-0571](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
- 1) Award Request for Proposals (RFP) 13-918-075 for a Certified Farmers' Market to Placerville-South Lake Tahoe-El Dorado Hills Certified Farmer's Market Association doing business as El Dorado County Certified Farmer's Market Association (EDCCFA), of Placerville, Ca.; and
 - 2) Authorize the Purchasing Agent to execute a facility use agreement with the awarded proposer to conduct a Certified Farmers' Market at the County government center in the Main Library Parking lot at the corner of Fair Lane and Fairlane Court, subject to minor revision and approval by County Counsel and Risk Management.

8. [13-0401](#) Chief Administrative Office returning to the Board as directed on April 9, 2013 and recommending the Board consider the draft "Anti-Bullying" policy on a future date.

9. [12-1248](#) Child Support Services recommending the Board adopt Resolution **055-2013** to establish a victim restitution trust account for the Revenue Recovery Division for the purpose of disbursing payments to victims of crime.

FUNDING: Victim Restitution Funds.

10. [13-0596](#) District Attorney's Office recommending the Board authorize the District Attorney to accept and sign the grant agreement AL 1396 for the Avoid DUI Campaign for the term April 1, 2013 to September 30, 2013 from the State of California Office of Traffic Safety in the amount of \$58,282.
11. [13-0554](#) Elections Department recommending the Board declare the results of the official canvass of the May 7, 2013 mailed ballot elections conducted by the Recorder-Clerk-Registrar of Voters for Gilmore Vista Zone of Benefit No. 98122 and Meadowview Acres Zone of Benefit No. 98125.
12. [13-0485](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to execute Agreement for Services 555-S1311 with Tahoe Turning Point in the not-to-exceed amount of \$325,000 for the term May 28, 2013 through May 27, 2016 for the provision of therapeutic counseling and substance abuse services on an "as requested" basis.

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. There is no Net County Cost associated with this Agreement.

13. [13-0308](#) Human Resources recommending the Board adopt Resolution **050-2013** superseding resolution 044-2013 to correct administrative errors in the Job Class Number and Class for the Executive Assistant position in the Child Support Services Department.
14. [11-0606](#) Sheriff's Office recommending the Board authorize the Chair and the Sheriff to sign retroactive Exhibits A and B to the Cooperative Law Enforcement Agreement, 13-LE-11051360-008, between the El Dorado County Sheriff's Office, the United States Department of Agriculture, United States Forest Service ElDorado National Forest, and the United States Forest Service Lake Tahoe Basin Management Unit in the total amount of \$56,000 for the term October 1, 2012 through December 31, 2013 to provide funding for the Sheriff's patrol services on national forest system roads within the El Dorado County National Forest and Lake Tahoe Basin Management Unit, as well as funding for Sheriff's Office expenditures associated with the detection of locations and activities related to the illegal production and trafficking of controlled substances during Federal Fiscal Year 2012/2013.

FUNDING: United States Forest Service (USFS).

15. [13-0278](#) Transportation recommending the following pertaining to the Rubicon Trail at Ellis Creek - Bridge Replacement Project, Contract No. PW 11-30572, CIP No. 77117, P&C No. 515-C1375:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for May 6, 2013;
 - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
 - 3) Authorize the Interim Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 5 Min.) (Refer 4/9/13, Item 19)

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

16. [13-0445](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Jesus Lemus, an Unmarried Man, and Maria Gonzalez, an Unmarried Woman, Together As Joint Tenants, for Assessor's Parcel Number 325-110-35; and
 - 2) Authorize the Director of Transportation 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 Green Valley Road at Weber Creek - Bridge Replacement Project, CIP No. 77114.

FUNDING: Highway Bridge Program Grant Funds and Regional Surface Transportation Program Rural Exchange Funds.

17. [13-0449](#) Transportation recommending the following pertaining to the Northside School Class I Bike Path - Phases 1 and 2 Project, Contract No. PW 11-30628, CIP No. 72304 (Phase 1, SR-193) and CIP No. 72306 (Phase 2, SR-49), P&C No. 018-C1499:
- 1) Approve plans and contract documents and authorize the Chair to sign the plans; and
 - 2) Authorize advertisement for construction bids, subject to authorization of federal funding for construction.

FUNDING: Federal and State Safe Routes to School Grant Funds, Regional Surface Transportation Program Rural Exchange Funds, Transportation Development Act Funds from the El Dorado County Transportation Commission and Federal Congestion Mitigation Air Quality Funds.

18. [13-0523](#) Transportation 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 Lloyd Earl Elliott, Jr. and Irene Elliott, Trustees of the Elliott Revocable Trust Dated October 21, 2009, for Assessor's Parcel Number 331-331-27, subject to County Counsel review and approval; and
 - 2) Authorize the Director of Transportation 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 Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project, CIP No. 73320.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

19. [13-0527](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Tower Energy Group, a California Corporation, for Assessor's Parcel Numbers 329-280-12 and 329-280-13, subject to County Counsel review and approval; and
 - 2) Authorize the Director of Transportation 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 Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project, CIP No. 73320.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

20. [13-0530](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Lake Oaks Mobile Home Community, Inc., a California Corporation, for Assessor's Parcel Numbers 331-310-08, 331-310-09, 331-390-08 and 331-390-12, subject to County Counsel review and approval; and
 - 2) Authorize the Director of Transportation 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 Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project, CIP No. 73320.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

21. [13-0531](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificates of Acceptance for the related documents from David G. Quigley and Sherry Quigley, husband and wife, as Joint Tenants, for Assessor's Parcel Number 329-280-15, subject to County Counsel review and approval; and
 - 2) Authorize the Director of Transportation 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 Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project, CIP No. 73320.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

22. [13-0532](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Patricia Harrington, an unmarried woman, and Michael Quigley, an unmarried man, as Tenants In Common, for Assessor's Parcel Numbers 329-280-09 and 329-280-16, subject to County Counsel review and approval; and
 - 2) Authorize the Director of Transportation 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 Pleasant Valley Road (SR49)/Patterson Drive Intersection Signalization Project, CIP No. 73320.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

23. [13-0581](#) Supervisor Mikulaco recommending the Board approve a Certificate of Commendation to honor Gregory H. Stein of Boy Scout Troop 465, acknowledging the hard work and commitment necessary to attain the rank of Eagle Scout.
24. [13-0536](#) Supervisor Veerkamp recommending the Board adopt a Memorial Day Proclamation in El Dorado County on May 27, 2013.
25. [12-0470](#) Supervisor Santiago recommending the Board adopt a Resolution **053-2013** approving road restrictions around Lake Tahoe and between Tahoe City and South Lake Tahoe, from approximately 6:30 a.m. to 1:30 p.m. on State Highway 89 for the month of September 2013 through 2018, for the Lake Tahoe Marathon, 3-day triathlon, and a 3-day triple marathon events.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

26. [13-0521](#) Health and Human Services Agency, Community Services Division, on behalf of the El Dorado County Commission on Aging, recommending the Board consider the following:
- 1) Adopt a proclamation designating May 2013 as Older Americans Month in the County of El Dorado;
 - 2) Present a certificate to each Senior of the Year nominee, mentioning as noted on the certificate their primary contribution to the community; and
 - 3) Announce the 2013 County of El Dorado Senior of the Year and present the perpetual trophy to the nominee selected by the Commission on Aging to receive this honor.
27. [13-0544](#) Supervisor Briggs recommending the Board approve the Chairman's signature on a Proclamation recognizing Dr. Vicki L. Barber, El Dorado County Superintendent of Schools, for more than 30 years of distinguished service to the students, schools and educators throughout the County of El Dorado.

11:00 A.M. - TIME ALLOCATION

28. [13-0443](#) Supervisor Veerkamp recommending the Board receive a presentation from the El Dorado County Youth Commission on their activities, goals and accomplishments for the 2012-2013 term, and a preview of ongoing activities for 2013-2014. (Est. Time: 30 Min.)

DEPARTMENT MATTERS

29. [13-0595](#) Supervisor Veerkamp recommending the Board adopt Resolution **055-2013** welcoming the representatives from our sister city, Warabi City, Japan as part of the People to People program.
30. [13-0585](#) Chief Administrative Office and Health and Human Services Agency recommending the Board conceptually approve the transfer of Housing, Community and Economic Development (HCED) programs to the Office of Economic Development within the Chief Administrative Office.
- FUNDING:** HCED programs are funded primarily with State and Federal funds.
31. [12-0267](#) Chief Administrative Office providing the Board with an update on the Land Use Policy Programmatic Update. (Est. Time: 15 Min.)
- FUNDING:** General Fund.
32. [11-1303](#) Chief Administrative Office recommending the Board receive an update on the Strategic Investment Plan and the status of the Human Resources and Management Investment Team.
33. [13-0568](#) Supervisor Mikulaco recommending the Board authorize his attendance at the California State Association of Counties (CSAC) annual legislative conference in Sacramento on May 29 and 30, 2013.

2:00 P.M. - TIME ALLOCATION

34. [13-0586](#) Surveyor's Office recommending the Board receive a presentation; "GIS - Past, Present and Future." Presentation was created at the request of the Board of Supervisors. (Est. Time: 45 Min.)

3:00 P.M. - TIME ALLOCATION

35. [12-0559](#) **PRESENTATION** - El Dorado County Emergency Services Authority, the City of South Lake Tahoe Fire Department, and the Lake Valley Fire Protection District recognizing emergency medical services nominees for their outstanding contributions and dedication to their respective organizations in conjunction with the Board of Supervisors having proclaimed May 19, 2013 through May 25, 2013 as "Emergency Medical Services Week" in the County of El Dorado. (Est. Time: 30 min.)

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION

36. 13-0292 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Various issues regarding Cohen report on Juvenile Facilities deficiencies. (Est. Time: 15 Min.)
37. 13-0587 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Maintenance activities in the Sacramento-Placerville Transportation Corridor. (Est. Time: 30 Min.)
38. 13-0575 **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as follows:
- 1) APN 104-080-77; Louis J. Viani, Trustee of the Viani Family Exemption Trust UTD August 29, 1996. The person or persons with whom the negotiator may negotiate is Steven Viani.
 - 2) APN 104-430-02; Colonel Robert C. Gordon and Helen E. Gordon. The person or persons with whom the negotiator may negotiate is Helen E. Gordon.
 - 3) APN 104-080-42; Gary A. Glenesk and Petra D. Glenesk. The person or persons with whom the negotiator may negotiate are Gary A. Glenesk and Petra D. Glenesk.
- Instructions to negotiator will concern price and term of payment. Julie Duchescherer will be the negotiator on behalf of El Dorado County.
39. 13-0515 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: In the Matters of Nicholas G. and Felix G., Superior Court Case #SDP20120027 and SDP20120028. Number of potential cases: (). (Est. Time: 15 Min.)
40. 13-0590 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Robert Morphew v. County of El Dorado, York Risk Services Group, Inc. Claim No. ELOM-65518. (Est. Time: 10 Min.)
41. 13-0591 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Shana Haynie v. County of El Dorado, York Risk Services Group, Inc. Claim No. ELOE-34009. (Est. Time: 10 Min.)

42. 13-0593 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Robert Bartley v. County of El Dorado, York Risk Services Group, Inc. Claim No. ELOX-547305. (Est. Time: 10 Min.)

ADDENDUM**DEPARTMENT MATTERS**

43. [13-0603](#) Board of Supervisors to consider adoption of Resolutions **056-2013** and **057-2013** by El Dorado County Superior Court altering court employees' retirement contribution rate under County/Court Public Employee Retirement System (PERS) Contract.

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)

BOARD OF SUPERVISORS' ANNOUNCEMENTS

Tuesday, May 28, 2013
No Board of Supervisors Meeting

Budget Workshop
June 3, 5 and 6, 2013 - 9:00 a.m.

Tuesday, July 2, 2013
No Board of Supervisors Meeting

Tuesday, July 9, 2013
No Board of Supervisors Meeting