



County of El Dorado

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Minutes - Final Board of Supervisors

*Norma Santiago, Chair, District V
Vacant, District II*

*Brian K. Veerkamp, First Vice Chair, District III
Ron Mikulaco, Second Vice Chair, 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, July 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.

8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:11 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

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.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: M. Lane, K. Payne, M. Smith, W. Nagle

A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs to Adopt the Agenda and Approve the Consent Calendar with the following changes:

- 1) Item 9 noting a typographical correction to the total contract amount as \$180,000.**
- 2) Pull items 15, 17, 24 and 32.**
- 3) Continue item 50 to July 29, 2014.**
- 4) Continue item 51 to July 22, 2014.**

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

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.

14-1007 OPEN FORUM

Public Comment: D. Manning, M. Smith, M. Lane

CAO UPDATE

Kim Kerr, Assistant Chief Administrative Officer, reported on a grant that Child Welfare has received. The California Department of Social Services notified El Dorado County Health & Human Services that it was selected as one of seven counties along with Los Angeles, San Luis Obispo, San Joaquin, Sacramento, San Bernardino and Alameda to participate with the State in a federal grant designed to coordinate services to Commercially Sexually Exploited Children victims. The number of victims has increased from 3 in 2012 to 26 in 2014. A presentation was recently given to the Board on Commercially Sexually Exploited Children. This is a multi-year grant and more information will be provided as El Dorado County gets ready to accept that grant.

CONSENT CALENDAR**14-1008** Consent Calendar - Public Comment

Public Comment: M. Lane, K. Payne, M. Smith, W. Nagle

1. **14-0921** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on June 24, 2014 and the Minutes from the special meeting of the Board of Supervisors on June 26, 2014.
This matter was Approved on the Consent Calendar.

2. **14-0908** Auditor-Controller recommending the Board consider final passage (Second Reading) of Ordinance **5010** related to the Promontory Specific Plan amending the levy of special taxes for certain parcels within Community Facilities District 2001-1 (Cont. 6/24/14, Item 53).
Ordinance 5010 was Adopted upon Approval of the Consent Calendar.

3. **14-0966** Chief Administrative Office and Auditor-Controller recommending the Board:
1) Retain Gallina LLP of Roseville to conduct the County's independent audit for the fiscal year ending June 30, 2014; and
2) Approve and authorize the Chair to sign Agreement for Services No. 116-S1511 in the amount not to exceed \$64,700 pending County Counsel and Risk Management approval.

Funding: General Fund.
This matter was Approved on the Consent Calendar.

4. **14-0776** Chief Administrative Office recommending the Board approve and authorize the Chair to sign a comment letter to the Environmental Protection Agency and Army Corps of Engineers on the proposed changes to Clean Water Act regulations pertaining to Waters of the United States.
This matter was Approved on the Consent Calendar.

5. **14-0913** Chief Administrative Office recommending the Board receive and file a development impact mitigation fee report for the El Dorado Hills Fire Protection District fee program and authorize reimbursement in the amount of \$1,070,304.84.
This matter was Approved on the Consent Calendar.

6. **14-0881** Chief Administrative Office, Facilities Division, recommending the Board approve and authorize the Purchasing Agent to sign Amendment I to Agreement No. 103-S1410 with Lebeck Young Engineering, Inc. to provide on-call engineering services for various County-operated facilities increasing compensation by \$139,000 for an amended not to exceed amount of \$200,000.

FUNDING: General Fund and Accumulated Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

7. **14-0880** Chief Administrative Office, Facilities Division, requesting the Board approve the proposed facility monument plaque as related to the new Animal Shelter Facility.

FUNDING: Accumulated Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

8. **14-0202** Chief Administrative Office, District Attorney and Sheriff notifying the Board and making available for review the County's submission of the Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2014 application for funding of \$18,825 for additional training funds for the Sheriff's office and training and purchase of law enforcement equipment and supplies for the District Attorney's office.

FUNDING: Justice Assistance Grant Program.

This matter was Approved on the Consent Calendar.

9. 14-0701 Chief Administrative Office, Procurement and Contracts, recommending the Board consider the following:
- 1) Approve and authorize the Purchasing Agent to increase BP20140966 by \$81,000 for a total contract amount of \$180,00 for the purchase of Plant Mix Asphalt Concrete on the East Slope of El Dorado County, for a one year term to expire on 05/26/2015 to the low qualified bidder, Tahoe Asphalt of South Lake Tahoe, CA.;
 - 2) Approve and 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; and
 - 3) Approve and authorize the Purchasing Agent to extend BP20140966 for one additional 12 month period at the same terms, conditions and pricing, if determined to be in the best interest of the County, as per the bid specifications.

FUNDING: Road Fund Discretionary.

This matter was Approved on the Consent Calendar noting a typographical correction to the total contract amount as \$180,000.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

10. 14-0961 Chief Administrative Office recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign the annual Agreements with the El Dorado County Resource Conservation District and Georgetown Divide Resource Conservation District (RCD's) in the amount of \$146,820 each for a total cost of \$293,640 for a term to expire June 30, 2015 to identify responsibilities and establish areas of cooperative effort for all parties regarding erosion, sediment control, and watershed management; and
 - 2) Approve and authorize the Chair to sign a budget transfer decreasing General Fund Contingency by \$146,002 and increasing the contribution to the RCD's by \$146,002 for the Fiscal Year 2013-14 contribution. (4/5 vote required)

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

11. 13-1542 Chief Administrative Office recommending the Board direct that all current and future Title III funds available for local Firewise activities and/or search and rescue be evenly split between the El Dorado County Fire Safe Council and the El Dorado County Sheriff.

This matter was Approved on the Consent Calendar.

12. 14-0727

Chief Administrative Office recommending the Board approve and authorize the Chair to sign amendments with the following Court Appointed Conflict Panel Attorneys for a 10 percent increase in compensation effective July 1, 2014.

- 1) Adam Clark, Esq.; Agreement No. 021-S1411
- 2) Adam Weiner, Esq.; Agreement No. 022-S1411
- 3) Melissa van der Vijver, Esq.; Agreement No. 105-S1411
- 4) Erik Davenport, Esq.; Agreement No. 024-S1411
- 5) James Clark, Esq.; Agreement No. 025-S1411
- 6) John Castellanos, Esq.; Agreement No. 026-S1411
- 7) Lori London, Esq.; Agreement No. 027-S1411
- 8) Paul Palant, Esq.; Agreement No. 028-S1411
- 9) Stephen Tapson, Esq.; Agreement No. 073-S1411
- 10) David Brooks, Esq.; Agreement No. 441-S1411

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

13. 14-0875

Chief Administrative Office and Human Resources recommending the Board approve and authorize the Purchasing Agent to sign Amendment I to Agreement 390-S1410 with Municipal Resource Group, LLC, for the provision of as requested services related to the County's Cultural Assessment Survey. Amendment I modifies Article III, Compensation, to clarify compensation terms and increase total compensation from \$60,000 to \$200,000 for the provision of services related to the County's Cultural Assessment Survey. This increase is in accordance with Board direction on May 13, 2014 regarding the Climate Change Action Plan.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 14. 14-0946** Community Development Agency, Development Services Division, submitting for approval Final Map (TM99-1359-F-18) for West Valley Village Unit 5B, Phase 2 creating 66 residential lots, ranging in size from 12,002 to 41,659 square feet, on property identified by Assessor's Parcel Numbers 118-630-01, 118-630-02, 118-610-12, and 118-610-13, located on the east side Royal Oaks Drive, at the intersection with Keystone Drive, in West Valley Village (Blackstone Master Planned Development) area of the Valley View Specific Plan Area, in the El Dorado Hills area; and recommending the Board consider the following:
- 1) Approve the Final Map for West Valley Village Unit 5B, Phase 2; and
 - 2) Approve and authorize the Chair to sign the Agreement to Make Subdivision Improvements. (Supervisory District 2)

This matter was Approved on the Consent Calendar.

- 15. 14-0923** Community Development Agency, Development Services Division, submitting for approval, Large Lot Final Map (TM01-1381-F-2) for Serrano Villages M2-M5 creating a total of five large lots for phasing purposes on property identified by Assessor's Parcel Numbers 123-020-06, 123-020-07, 123-020-08, 123-020-09, 123-020-10, 123-260-05, 123-260-06, 123-260-07, and 123-260-08, located on the east side of Sangiovese Way, approximately 500 feet east of the intersection with Western Sierra Way, within the El Dorado Hills Specific Plan Area (Serrano Master Planned Community) in the El Dorado Hills area. (Supervisory District 1)

Public Comment: K. Payne, K. Bone, M. Smith

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

Yes: 3 - Santiago, Mikulaco and Veerkamp

Noes: 1 - Briggs

16. 13-0650

Community Development Agency, Transportation Division, recommending the Board consider the following:

1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that it is more economical and feasible to engage an independent contractor for on-call construction support services for the Transportation Division's construction program; and
2) Approve and authorize the Chair to sign the First Amendment to Agreement for Services No. 597-S1311 with CALTROP Corporation to increase the not to exceed amount of the contract by \$500,000, for a total not to exceed contract amount of \$1,250,000, to provide construction administration and inspection services for the Transportation Division's construction program.

FUNDING: For various Capital Improvement Program (CIP) and Environmental Improvement Program (EIP) projects, funding will be provided by sources that fund those CIP and EIP projects. Work performed on subdivision projects will be funded by developers via time and material billings.

This matter was Approved on the Consent Calendar.

17. 14-0071

Community Development Agency, Transportation Division, recommending the Board consider the following:

1) Make findings pursuant to Ordinance Code 3.13.030 that there are specialty skills and qualifications required for the work performed under this Agreement that are not expressly identified in County job classifications; and
2) Approve and authorize the Chair to sign Agreement for Services No. 551-S1411 with T.Y. Lin International in an amount not to exceed \$683,074.34 for a term to begin upon execution and expire upon completion of construction, to provide design services pertaining to the Bucks Bar Road at the North Fork Cosumnes River - Bridge Rehabilitation Project, CIP No. 77116.

FUNDING: Highway Bridge Program and Regional Surface Transportation Exchange Funds (Federal Funds).

Public Comment: M. Lane, M. Smith, W. Nagle

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

- 18. 14-0823** Community Development Agency, Transportation Division, recommending the Board take the following actions related to the Blair Road at EID Canal - Bridge Replacement (No. 25C0077) Project, CIP No. 77119:
- 1) Adopt the California Environmental Quality Act Mitigated Negative Declaration; and
 - 2) Approve the Project as described in the California Environmental Quality Act document.

FUNDING: This Project is included in the Adopted 2013 Capital Improvement Program and is funded through the Federal Highway Administration Local Assistance Highway Bridge Program, authorized under the 100 percent Funded Program (Federal Funds).

This matter was Approved on the Consent Calendar.

- 19. 12-1213** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Approve and authorize the Clerk of the Board to reduce Performance Bond No. 070003259 with the Silver Springs, LLC, (associated with AGMT No. 12-53452) from \$6,557,377 to \$655,737.70, the required 10 percent retention for the guaranty of design defects which will be held for one year after acceptance of the Silver Springs Parkway construction project; and
 - 2) Approve and authorize the Clerk of the Board to release the bonds upon Transportation's request.

This matter was Approved on the Consent Calendar.

- 20. 14-0911** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Resolution **093-2014** issuing a parade permit for portions of the Rubicon Trail from the Wentworth Springs Campground and Loon Lake Dam eastward to the Placer County Line, for the 62nd Annual "Jeepers Jamboree" only, from 6:00 a.m. to midnight daily, starting on Wednesday, July 23, 2014, through Monday, July 28, 2014; and for the 36th Annual "Jeep Jamboree," during the same times on July 31, 2014 through Monday, August 4, 2014, subject to the conditions set forth in Resolution No. 110-79 and in the "Application for Road Closure" submitted by the applicant.

Resolution 093-2014 was Adopted upon Approval of the Consent Calendar.

21. **14-0865** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Resolution **092-2014** sanctioning the closure of Main Street and Wentworth Springs Road in the Georgetown area on Wednesday, July 23, 2014 between 8:00 a.m. and 8:00 p.m., for the "2014 Jeepers Jamboree Vendor Show and Outdoor Expo", subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 092-2014 was Adopted upon Approval of the Consent Calendar.

22. **14-0762** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Resolution **096-2014** to claim an allocation of \$62,400 in Transportation Development Act Article 3 Local Transportation Fund Bicycle and Pedestrian Funds from the El Dorado County Transportation Commission for the El Dorado Trail from Los Trampas Drive to Halcon Road, CIP Project No. 97012.

FUNDING: Transportation Development Act Article 3 Local Transportation Fund Bicycle and Pedestrian Funds, El Dorado County Transportation Commission Resolution No. 10/11.03-A.

Resolution 096-2014 was Adopted upon Approval of the Consent Calendar.

23. **14-0848** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County job classifications; therefore, it is more economical and feasible to engage an independent contractor; and
 - 2) Approve and authorize the Chair to sign the First Amendment to Agreement for Services No.11-53293 with CH2M Hill, Inc. in an amount of \$100,000 for a term to begin upon execution and expire on June 30, 2017, to provide additional on-call structural engineering support services in support of various Capital Improvement Program projects and to amend Articles of the Agreement to conform to current contract standards.

FUNDING: Various Local, State and Federal Funding Sources (Federal Funds).

This matter was Approved on the Consent Calendar.

24. 14-0897

Community Development Agency, Transportation Division, recommending the Board consider the following for the Green Valley Road at Weber Creek Bridge Replacement Project:

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Mary W. Foot and Terrance W. Foot, for Assessor's Parcel Number 325-450-04;
- 2) Approve and authorize the Community Development Agency 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; and
- 3) Approve and authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties, for the Green Valley Road at Weber Creek - Bridge Replacement Project, CIP No. 77114.

FUNDING: Highway Bridge Program and Regional Surface Transportation Program Rural Exchange Funds (Federal Funds).

Public Comment: M. Smith, K. Payne, M. Lane, W. Nagle

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

25. 14-0579

Community Development Agency, Transportation Division, recommending the Board consider the following:

- 1) Adopt Resolution **054-2014** to Accept the Irrevocable Offers of Dedication No. 2014-001 for Right of Way and Public Services Easement along Sunset Lane; and
- 2) Adopt Resolution **055-2014** to Acknowledge and Reject the Irrevocable Offer of Dedication No. 2014-002 along Becken Lane provided from Mercy Housing regarding Trailside Terrace Multi-Family Housing Development in Shingle Springs.

Resolutions 054-2014 and 055-2014 were Adopted upon Approval of the Consent Calendar.

26. 13-1224

Community Development Agency, Transportation Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Bugler Construction for the Mt. Aukum Road at North Fork Cosumnes River - Bridge Maintenance Project, CIP No. 77130; and
- 2) Approve and 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: Regional Surface Transportation Program Rural Exchange Funds and Highway Bridge Program (Federal Funds).

This matter was Approved on the Consent Calendar.

27. 14-0483

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Sawmill 2B Bike Path and Erosion Control Project (Contract No. PW 11-30593, CIP No. 95192):

- 1) Approve the construction plans and contract documents;
- 2) Authorize the Chair to sign the construction plans; and
- 3) Authorize advertisement for construction bids.

FUNDING: California Tahoe Conservancy, United States Forest Service, Congestion Mitigation and Air Quality Improvement Program, Regional Surface Transportation Program and Tahoe Regional Planning Agency Air Quality and Water Quality Mitigation Funds (Federal Funds).

This matter was Approved on the Consent Calendar.

28. 14-0681

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the CSA 5 Upper Area Erosion Control Project (Contract No. PW 13-30701, CIP No. 95196):

- 1) Approve the construction plans and contract documents;
- 2) Authorize the Chair to sign the construction plans; and
- 3) Authorize advertisement for construction bids.

FUNDING: California Tahoe Conservancy Grant Funds.

This matter was Approved on the Consent Calendar.

- 29. 14-0728** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Federal Exchange/State Match Program Agreement No. X14-5925(122) with the California Department of Transportation allowing direct exchange with the State of \$359,164 in Fiscal Year 2013-2014 Regional Surface Transportation Program Exchange Funds and allowing for the disbursement of \$100,000 in State Match Funds.

FUNDING: Regional Surface Transportation Program Exchange Funds.

This matter was Approved on the Consent Calendar.

- 30. 14-0861** Clerk of the Board, based upon the recommendation's from the respective Council's, recommending the Board make appointments and accept resignations of members of the El Dorado County Early Care and Education Planning Council and El Dorado County Child Abuse Prevention Council.

El Dorado County Early Care and Education Planning Council:

Accept the Resignation of Debbie Stack, Public Agency Representative
Appoint Nina Birks, Public Agency Representative, Term Expiration 07/15/2018

El Dorado County Child Abuse Prevention Council:

Accept the Resignation of Randy Ehle, Religious Communities Representative
Appoint Nadia Maddox, Parent Representative, Term Expiration 07/15/2018

This matter was Approved on the Consent Calendar.

- 31. 14-0920** Clerk of the Board, based upon the recommendation of the Mental Health Commission, recommending the Board make the following appointments to the Mental Health Commission:
1) Appoint Lorraine Nordone Pond, Member, South Lake Tahoe Council, Term Expiration 07/15/2017 (Vacant Position); and
2) Appoint David Sterkin, Member, Western Slope Council, Term Expiration 07/15/2017 (Vacant Position).

This matter was Approved on the Consent Calendar.

- 32. 14-0973** Clerk of the Board of Supervisors recommending the Board consider amending the 2014 meeting schedule of the Board of Supervisors to cancel the regular meeting of August 19, 2014 due to the Tahoe Environmental Summit and add a special meeting on September 29, 2014.
- Public Comment: M. Smith*
- A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter.**
- Yes:** 4 - Briggs, Santiago, Mikulaco and Veerkamp
- 33. 14-0862** Child Support Services, Revenue Recovery Division, recommending the Board approve the relief from accountability for a cash shortage of \$100 in the Revenue Recovery Comprehensive Court Collection Account No. 8879602 due to a counterfeit \$100 bill accepted by a staff member.
- FUNDING:** General Fund.
- This matter was Approved on the Consent Calendar.**
- 34. 12-0616** District Attorney recommending the Board consider the following:
- 1) Authorize the submission of a grant application to the California Governor's Office of Emergency Services (CalOES, formerly CalEMA) for the Victim Witness Assistance Program for Fiscal Year 2014-2015;
 - 2) Approve and authorize the Chair to sign the certification pertaining to same; and
 - 3) Adopt Resolution **097-2014** authorizing the District Attorney to execute the Grant Award Agreement including any extension or amendments.
- This matter was Approved and Resolution 097-2014 was Adopted upon Approval on the Consent Calendar.**
- 35. 12-1555** Health and Human Services Agency, Public Health Division, recommending the Board approve and authorize the Chair to sign Amendment I to Memorandum of Understanding 466-M1311 with Marshall Medical Center, Inc., to incorporate updated standard County language, as well as amending and replacing Exhibit A, updating the "in kind" services being provided by Marshall Medical Center.
- FUNDING:** Fee for Service, Property Tax and Special Tax Assessment.
- This matter was Approved on the Consent Calendar.**

- 36. 14-0084** Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **090-2014** to:
- 1) Approve and authorize the Chair to sign Amendment 2 to Agreement 14B-5007 with the California Department of Community Services and Development, increasing the total agreement amount by \$358,513, from \$1,425,228 to \$1,783,741 for the period January 1, 2014 through January 31, 2015, for provision of Low-Income Home Energy Assistance Program services;
 - 2) Authorize the Chief Administrative Officer, or designee, to execute any further amendments to Agreement 14B-5007 that do not affect the total dollar amount or the term, contingent upon approval by County Counsel and Risk Management; and
 - 3) Further authorize the Director of the Health and Human Services Agency, or designee, to sign subsequent required fiscal and programmatic reports and to perform any and all administrative responsibilities in relationship to said Agreement.

FUNDING: Federal Funding.

Resolution 090-2014 was Adopted upon Approval of the Consent Calendar.

- 37. 14-0936** Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **098-2014** to retroactively amend the Salary Schedule for the Extra Help classifications, Student Intern - Extra Help, and General Trainee - Extra Help, to be in compliance with the new California minimum wage rate effective July 1, 2014.

Resolution 098-2014 was Adopted upon Approval of the Consent Calendar.

- 38. 14-0788** Library Director recommending the Board receive and file notification of a 2.8 percent increase in the library parcel tax in South Lake Tahoe (Zone F) and Georgetown (Zone G) resulting in a total fee of \$18.50 per parcel for Fiscal Year 2014-2015 to be used exclusively for library services within each respective zone.

FUNDING: Library Parcel Tax.

This matter was Approved on the Consent Calendar.

- 39. 06-1955** Sheriff's Office recommending the Board approve and authorize the Chair to sign Amendment IV to Facility Use Agreement No. 355-09911 with Verizon Wireless to modify certain additional equipment on the Property, to replace Section 4 to update the County's Notices, and to replace Section 16 to change the Administrator.

FUNDING: Verizon Wireless will bear all the costs of the additional equipment. No County funding will be necessary.

This matter was Approved on the Consent Calendar.

40. **14-0878** Sheriff's Office recommending the Board approve and authorize the Chair to sign Memorandum of Understanding No. 065-S1510 with Placer County District Attorney's Office effective July 1, 2014 through June 30, 2017, in the amount of \$30,000 for the three year term for the Placer County Sexual Assault Response Team Services.

FUNDING: General Funds.

This matter was Approved on the Consent Calendar.

41. **14-0926** Surveyor's Office recommending the Board approve and authorize the Chair to sign Resolution of Vacation **094-2014** for Abandonment of Easement No. 2014-006 to abandon a portion of the drainage easement on Lot 93 of The Promontory Village No. 6, Unit 2A, recorded at Book I of Subdivisions at Page 139, identified as Assessor's Parcel Number 124-130-30, requested by Jerry Thompkins and Hong Thompkins.

Resolution 094-2014 was Adopted upon Approval of the Consent Calendar.

42. **13-0865** Supervisor Santiago recommending the Board approve and authorize the Chair to sign Resolution **095-2014** acknowledging highway restrictions at Lake Tahoe for the 12th Annual Tour de Tahoe/Bike Big Blue cycling event to be held on Sunday, September 7, 2014.

Resolution 095-2014 was Adopted upon Approval of the Consent Calendar.

43. **14-0957** Supervisor Santiago recommending the Board approve a request by Vail Resorts, which operates Heavenly Lake Tahoe, to extend the licensed premises, pursuant to the requirements of the State of California, Department of Alcoholic Beverage Control, to the newly completed Blue Sky Terrace located at the Gondola Mid-Station located at Heavenly Lake Tahoe, South Lake Tahoe in El Dorado County.

This matter was Approved on the Consent Calendar.

44. **14-0959** Supervisor Veerkamp recommending the Board approve and authorize the Chair to sign Resolution **099-2014** in Support for the Updated Integrated Regional Water Management Plan for the Cosumnes, American, Bear and Yuba Integrated Regional Water Management Effort.

Resolution 099-2014 was Adopted upon Approval of the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 45. 14-0709** HEARING - Library Department recommending the Board approve and authorize the Chair to sign Resolution **091-2014** confirming the annual benefit assessment for the 2014/2015 tax year for the Zone of Benefit D (Cameron Park Library) within County Service Area No. 10, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

FUNDING: Cameron Park Library Benefit Assessment.

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 091-2014.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

- 46. 14-0960** Supervisor Veerkamp recommending the Board join him in thanking Bob Smart for his years of service on the El Dorado County Parks and Recreation Commission and the reading of a Proclamation describing just a few of Bob's contributions and his commitment to recreation in El Dorado County. (Est. Time: 10 Min.)

Public Comment: K. Payne, L. Brent-Bumb, P. Borelli, D. Volster, K. Kerr

Supervisor Veerkamp read the Proclamation.

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

- 47. 14-0934** Supervisor Briggs recommending the Board receive a presentation provided by the U.S. Fish and Wildlife Service on their efforts in the County of El Dorado, to include information on their work with the U.S. Forest Service on the listing of the three Sierra amphibians and an update on the Gabbro Soils Conservation Plan. (Est. Time: 1 Hr.)

Public Comment: K. Payne, C. Carveth, R. Lory, M. Lane, K. Schambat

Received and Filed.

11:00 A.M. - TIME ALLOCATION

- 48. 14-0695** Community Development Agency, Transportation Division, requesting the Board receive a presentation on the current process for advertising and distributing contract documents for bidding and the alternative of using Quest Construction Data Network for electronic distribution of contract documents for bidding. (Est. Time: 45 Min.)

Public Comment: M. Smith

Received and Filed.

DEPARTMENT MATTERS

- 49. 12-0361** Hearing to change the boundaries of the Many Oaks Lane Zone of Benefit No. 98132 within County Service Area No. 9 by detachment of Assessor's Parcel Numbers 070-261-74, 070-280-54, 070-280-61, 070-250-46, 070-250-48 and 070-250-49; and if no majority protest is heard, approve and authorize the Chair to sign Resolution **100-2014** Changing the Boundaries of the Many Oaks Lane Zone of Benefit No. 98132.

FUNDING: General Fund (No Federal Funding).

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to Approve this matter and Adopt Resolution 100-2014.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

- 50. 14-0304** Community Development Agency, Administration and Finance Division, recommending the Board approve and authorize the Chair to sign the County of El Dorado Airport Ground Lease for Portable Hangars No. 487-L1411 for Hangar Space No. SP-10 (Single "T" Hangar, Land Lease) with Allan M. and Mary Jeanne Tice in an amount of \$636 per year as established by Resolution 097-2010, for 10 years with two additional 10-year lease options, located at the Georgetown Airport.

FUNDING: Georgetown Airport Enterprise Fund - Fee Revenue.

This matter was Continued to July 29, 2014 upon Approval of the Consent Calendar.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

- 51. 13-1162** The FENIX Executive Committee providing the Board with an update on the progress of our new Enterprise Resource Program. (Est. Time: 15 Min.)

This matter was Continued to July 22, 2014 upon Approval of the Consent Calendar.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

ITEMS TO/FROM SUPERVISORS

Supervisor Santiago attended the Tahoe Transportation District Board meeting on Friday. The overall work plan was discussed for the Basin in terms of transportation projects.

The Tahoe Regional Planning Agency (TRPA) has been proactive with the boat inspection program and this program has been successful in protecting Lake Tahoe. TRPA has been working hard to get the Federal government to recognize the importance of this program and are seeking Federal money to help continue to fund this program.

ADJOURNED AT 5:21 P.M. IN HONOR OF MATT FLAGER

CLOSED SESSION

- 52. 14-0947** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee, and Jack Hughes of Liebert, Cassidy, Whitmore. Employee Organization: Operating Engineers Local No. 3 representing employees in the Trades and Crafts, Probation, Corrections Bargaining Units; Deputy Sheriff's Association representing employees in the Law Enforcement Unit; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 45 Min.)
- No Action Reported. All four Supervisors participated.**
- 53. 14-0963** Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation:** Title: Employee Grievance: One (1) potential case. (Est. Time: 15 Min.)
- No Action Reported. All four Supervisors participated.**
- 54. 14-0976** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Hollow Oak Road APN: 119-090-17 Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All four Supervisors participated.**
- 55. 13-1572** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 119-090-17. The person or persons with whom the negotiator may negotiate is Joseph P. Williams, Jr. as Trustee of the Williams Family Living Trust Dated September 19, 1991. Instructions to negotiator will concern price and terms of payment. Jeannette Lyon will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
- No Action Reported. All four Supervisors participated.**
- 56. 14-0938** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as Salmon Falls Road South of Glenesk Lane, APN 104-080-77. The person or persons with whom the negotiator may negotiate is Steven P. Viani. 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. All four Supervisors participated.**

- 57. 09-0427 Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator:** Instructions to its negotiator regarding the County-owned real property described as APN 325-300-32-100 (300 Forni Road, Placerville, California). The person or persons with whom the negotiator may negotiate are the State of California Administrative Office of the Courts. Instructions to its negotiator will concern both price and terms of payment. Kelly Webb will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

No Action Reported. Supervisors Mikulaco, Santiago and Veerkamp participated. Supervisor Briggs did not participate.

- 58. 14-0526 Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as, and the person or persons with whom the negotiator may negotiate are listed below. Instructions to negotiator will concern price and term of payment. Russ Fackrell will be the negotiator on behalf of El Dorado County.
- 1) 6400 Runnymede Drive Placerville, CA; APN 327-160-50 and APN 327-160-47; Kenneth W. Sherrod and Zolane Sherrod, Trustees of The Kenneth W. Sherrod and Zolane Sherrod Living Trust dated February 29, 1996.
 - 2) 3701 El Dorado Road Placerville, CA; APN 327-110-05; Steven T. Majoewsky and Lesley Ann Majoewsky, as Trustees of the Majoewsky Family Trust dated September 18, 2008.
 - 3) Address unavailable; APN 325-220-48; Darlene Miller Waltrip, Trustee of the Waltrip Family 2006 Trust.
 - 4) 3641 El Dorado Road, Placerville CA; APN 325-220-20; Darlene Miller Waltrip, Trustee of the Waltrip Family 2006 Trust.
 - 5) Address unavailable, APN 329-240-55; Kimberly J. Wosnuk, as Trustee of the Kimberly J. Wosnuk Separate Property Revocable Trust; Carol Jean Caldwell, as Trustee of the Carol J. Caldwell Revocable Trust dated November 21, 1996; John L. Chavez and Susan M. Chavez, as Trustees of the John L. Chavez and Susan M. Chavez Revocable Trust.
 - 6) 6611 Merchandise Way, Diamond Springs, CA; APN 329-391-12; Gordon Victor Mott and Guadalupe Sierra Cardoza-Mott, as trustees of The Gordon & Guadalupe C. Mott Revocable Living Trust; Terry Piland and Cindy Piland.
 - 7) 6625 Merchandise Way, Diamond Springs, CA; APN 329-391-10; Kimberly J. Wosnuk, Carol J. Caldwell, and Susan M. Chavez.
 - 8) Address unavailable; APN 329-391-07; Ronald Glaeser and Shirley R. Glaeser, Co-Trustees of The Glaeser Family Trust Agreement Initially of August 24, 1998. (Est. Time: 30 Min.)

No Action Reported. All four Supervisors participated.

59. 14-0942 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Mitchell Martin v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., ELAA#541333. (Est. Time: 10 Min.)
No Action Reported. All four Supervisors participated.
60. 14-0943 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Shelly Williams v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., ELOY#471633. (Est. Time: 10 Min.)
No Action Reported. All four Supervisors participated.
61. 14-0944 **Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of William Wilson v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc. ELOQ#79130. (Est. Time: 10 Min.)
No Action Reported. All four Supervisors participated.

NEW BUSINESS - as identified by County Counsel

62. 14-1011 As provided for in Government Code section 54954.2(b)2, the Board voted 4-0 to add a Closed Session item to today's agenda for litigation formally commenced which is Nutting v. Superior Court just filed in the 3rd District Court of Appeals and served on the county this date. The Board found there was a need for immediate action that could not reasonably wait for the next regularly scheduled Board meeting because there was a request for an immediate stay of the upcoming special election. The Board of Supervisors proceeded to Closed Session.
The Board voted 4-0 to authorize the defense of the new writ action, Nutting V. Superior Court and authorized County Counsel to retain outside counsel for that purpose.
63. 14-0929 **Pursuant to Government Code Section 54957: Public Employee Appointment.** Title: County Counsel. (Est. Time: 1 Hr.) (Cont. 7/14/14, Item 5)
All four Supervisors participated. By a 4-0 vote, the Board of Supervisors appointed a new County Counsel Robin Truet Drivon to be County Counsel to serve the remaining portion of the four year term, which commenced on May 5, 2014. Her start date will be September 2, 2014. She is hired at Step 5 of the Salary Range plus contingent upon Board approval on an open agenda item the 5% salary increase already scheduled to commence in January 2015 will be accelerated to her start date plus she will be given credit for 80 hours of vacation and 80 hours of sick leave on her start date. County Counsel will be preparing an open session item for that compensation to the Board to be agendized between now and September 2.

Late Report from the Public Employee Performance Evaluation for the Chief Administrative Officer (Ref. 6/24/14, Item 67 File 14-0892):

Late report from County Counsel regarding this item - The Board previously held a closed session for the performance evaluation of the Chief Administrative Officer on June 24, 2014. The Board, in that closed session, prepared a letter, later given to the press who later ran such as an Op Ed piece. County Counsel did not believe there was a reportable action, however, because the press has inquired, County Counsel reported the letter was authorized by the Board of Supervisors.