



County of El Dorado

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Minutes - Draft Board of Supervisors

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

James S. Mitrisin, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer
Robyn Drivon, County Counsel

Tuesday, October 14, 2014

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item No. 26 is hereby added to the 2:00 P.M. - Time Allocation.

Vision Statement

"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

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Public Testimony will be received on each agenda item listed under Department Matters as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

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

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

Absent: 1 - Supervisor Veerkamp

9:18 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Craig Klatt of the Camino Adventist Church gave the Invocation.
Supervisor Briggs led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: M. Smith

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to Adopt the Agenda and Approve the Consent Calendar with the following change:
Continue item 26 to October 21, 2014.**

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

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.

14-1434 OPEN FORUM (See Attachment)

Public Comment: C. Koffman, R. Bender, A. Day, L. Stroud, M. Lane, L. Weitzman, N. Braybeck-Priest

14-1432 CAO UPDATE (See Attachment)

CONSENT CALENDAR

- 1. 14-1363** Clerk of the Board recommending the Board approve the Minutes from the special meeting of the Board of Supervisors on October 6, 2014 and the regular meeting of the Board of Supervisors on October 7, 2014.

This matter was Approved on the Consent Calendar.

- 2. 14-1299** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the extreme wildland fire known as the King Fire. (Cont. 10/7/14, Item 20)

This matter was Approved on the Consent Calendar and was Continued to October 21, 2014 as a standing item on the Agenda.

- 3. 14-1347** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare three duty weapons as surplus and approve the sale of same to retiring Sheriff Deputies Troy Wright, Aaron Small and Barbara Daniel.

This matter was Approved on the Consent Calendar.

- 4. 14-1261** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Agreement for Sale of Conservation Credits with the Big Gun Conservation Bank, between Westervelt Ecological Services and the County of El Dorado as necessary mitigation for the construction of the Green Valley Road at Weber Creek - Bridge Replacement Project, CIP No. 77114.

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

This matter was Approved on the Consent Calendar.

- 5. 14-1280** Community Development Agency, Transportation Division, recommending the Board adopt Resolution **173-2014** sanctioning the closure of several streets in the El Dorado Hills area surrounding Oak Ridge High School, on Friday, October 24, 2014, between 4:00 p.m. and 5:00 p.m., for the "Oak Ridge High School Homecoming Parade," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 173-2014 was Adopted upon Approval of the Consent Calendar.

6. **14-1290** Community Development Agency, Transportation Division recommending the Board adopt Resolution **174-2014** sanctioning the closure of Church Street between Highway 193 and School Street, and partial closure of Harkness Alley, Orleans Street, and Placer Street where they intersect with Church Street in Georgetown, on Friday, October 31, 2014, between 5:00 p.m. and 8:00 p.m. for the 2014 Georgetown "Safe Halloween" Event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 174-2014 was Adopted upon Approval of the Consent Calendar.

7. **14-1334** Human Resources Department, Risk Management Division, recommending the Board approve the Operating Engineers Local 3 Trust rates and County contributions for 2015 as identified in Attachment 2A.

FUNDING: Internal Service Fund - Risk Management Health Fund.

This matter was Approved on the Consent Calendar.

8. **14-1312** Surveyor's Office recommending the Board authorize the Chair to sign the Avigation and Noise Easement and Certificate of Acceptance from T.L Stigall, Inc., for Assessor's Parcel Number 048-121-11, in the vicinity of the Placerville Airport. (Cont. 10/7/14, Item 15)

This matter was Approved on the Consent Calendar.

9. **14-1371** Supervisor Frentzen recommending the Board consider the following pertaining to the Aging Commission;
- 1) Accept the resignation of Elizabeth Drummond, District II representative; and
 - 2) Appoint John Hovey as the District II representative, Term Expiration 01/01/17

This matter was Approved on the Consent Calendar.

10. **14-1386** Supervisor Mikulaco recommending the Board adopt a Proclamation declaring the month of October 2014 as Breast Cancer Awareness month.

This matter was Approved on the Consent Calendar.

11. 14-1404

Supervisor Santiago requesting the Board approve the Chair's signature on a Letter of Support for the State of California's application for Federal Preschool Expansion Grant Funds.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 12. 12-1287** HEARING to consider adoption of Resolution **171-2014** approving the issuance by the California Statewide Communities Development Authority of one or more series of tax-exempt obligations for the benefit of California Shock Trauma Air Rescue. (Tax Equity and Fiscal Responsibility Act) (Est. Time: 5 Min.)

Supervisor Santiago opened the hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs to Adopt Resolution 171-2014.

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

- 13. 13-0105** HEARING - Chief Administrative Office, Economic Development Division, Housing, Community and Economic Development Programs recommending the Board consider the following:
- 1) Conduct a public hearing to consider adoption of Resolution **172-2014** amending the County's Community Development Block Grant (CDBG) Standard Agreement 13-CDBG-8935 adding eligible supplemental CDBG activities, and
 - 2) Authorize the ~~Assistant~~ Chief Administrative Officer, or designee, to submit the supplemental CDBG activities to the State Department of Housing and Community Development and administer the CDBG Programs on behalf of the County. (Est. Time: 5 Min.)

FUNDING: Federal Department of Housing and Urban Development Community Development Block Grant Program Funds. (Federal Funding)

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Adopt Resolution 172-2014 and Approve this matter with a change to action item 2 replacing Assistant Chief Administrative Officer with Chief Administrative Officer.

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

- 14. 14-1405** Chief Administrative Office recommending the Board receive and file an update on the recovery for the 2014 fires.

Received and Filed.

15. 14-1342

Supervisor Briggs recommending Board:

- 1) Receive presentation provided by David Eggerton, Executive Director of the El Dorado Water and Power Authority on the purpose and function of the El Dorado Water and Power Authority;
- 2) Discuss and evaluate the County's continuing participation as a member agency of the El Dorado Water and Power Authority; and
- 3) Provide direction to staff. (Est. Time: 1 Hr.)

Public Comment: J. Sweeney, K. Payne

A motion was made by Supervisor Santiago, seconded by Supervisor Frentzen to direct the Community Development Agency and County Counsel to evaluate the County's continuing participation as a member agency of the El Dorado Water and Power Authority looking specifically at the following:

- 1) Evaluate the cost share agreement;**
- 2) Evaluate the return on investment;**
- 3) Evaluate the impact such a move would have on the current application;**
- 4) Evaluate the transferability of the current application;**
- 5) Discuss the Water Agency's funding; and**
- 6) Direct Mr. Eggerton to convey to the El Dorado Water and Power Authority members that a discussion on all the items mentioned above take place at their next meeting with regards to the County's participation.**

Yes: 3 - Briggs, Santiago and Frentzen

Noes: 2 - Mikulaco and Veerkamp

11:00 A.M. - TIME ALLOCATION

16. 14-1122

Community Development Agency, Transportation Division, recommending the Board provide direction, through one of the options identified below, for the use of El Dorado County owned property at 6940 Perks Court, Placerville Assessor's Parcel Number 327-130-18. Currently the property is being leased to United Outreach of El Dorado County, a registered 501(c)(3) non-profit corporation, for the purpose of operating a homeless shelter.

Options:

- 1) Appropriate and transfer General Funds equivalent to the remaining value of the parcel to the TIM fee fund and consider the parcel a County General Fund Asset (4/5 vote required);
- 2) Appropriate and transfer General Funds on a yearly basis that are equivalent to the fair-market lease value and continue to lease as-is (4/5 vote required);
- 3) With a minimum of 90 days notice, cancel the current lease, establish a fair-market value rate for the parcel's lease, market the property for fair value and lease the property with proceeds deposited into the TIM fee fund (either party may terminate the lease with a 90-day notice);
- 4) With a minimum of 90 days notice, cancel the current lease, declare the property as surplus and sell property with proceeds deposited into the TIM fee account; **OR**
- 5) Continue with the lease as is for six additional months following Board action, appropriate and transfer General Funds equivalent to a six-month fair-market lease value to the TIM fee account, negotiate with United Outreach regarding continuing the lease, terminating the lease or a fair market purchase option. (4/5 vote required)

Funding: Possible General Funds. (Depending on Board direction)

Public Comment: K. Payne, C. Klatt, D. Vanderkar, M. Calvert

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to direct the Community Development Agency and Health and Human Services Agency to:

- 1) **Work with other potential vendors to resume the current activities of the property located at 6940 Perks Court, Placerville; and**
- 2) **In January, return to the Board with options regarding the disposal of the property located at 6940 Perks Court, Placerville.**

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

DEPARTMENT MATTERS

- 17. 14-1320** Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Green Valley Road at Weber Creek - Bridge Replacement Project, Contract No. PW 13-30685, CIP No. 77114, P&C No. 213-C1599:
- 1) Approve and adopt plans and contract documents and authorize the Chair to sign the plans;
 - 2) Adopt Resolution **175-2014** to close Green Valley Road between El Dorado Road and Mallard Lane for a period of ten (10) calendar days for construction activities; and
 - 3) Authorize advertisement for construction bids.

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

Public Comment: K. Payne

A motion was by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 175-2014.

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

2:00 P.M. - TIME ALLOCATION**18. 14-0769**

HEARING to consider the recommendation of the Planning Commission on the El Dorado Hills Apartments project consisting of:

- 1) General Plan Amendment increasing the maximum residential density to 55 dwelling units/acre;
- 2) El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related standards;
- 3) Rezone from General Commercial-Planned Development to Multifamily Residential-Planned Development; and
- 4) Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex [General Plan Amendment A14-0001/Rezone Z14-0001/Specific Plan Revision SP86-0002-R/Planned Development Revision PD94-0004-R-2] on property identified by Assessor's Parcel Numbers 121-290-60, 121-290-61, 121-290-62, consisting of 4.56 acres, within the Town Center East Commercial Center in El Dorado Hills, submitted by Alexandro Economou/Spanos Corporation. **(The project applicant has requested this matter be continued to November 4, 2014 at 2:00 P.M.)**

The Planning Commission recommends the Board consider the following:

- 1) Deny General Plan Amendment A14-0001;
- 2) Deny amendments to the El Dorado Hills Specific Plan SP86-0002-R;
- 3) Deny Rezone Z14-0004; and
- 4) Deny Revisions to the Town Center East Planned Development PD94-0004R-2.

(Supervisory District 1) (Est. Time: 2.5 Hrs.)

Public Comment: E. VanDyke, L. Patonne, K. Payne

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Continue this matter to November 4, 2014.

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

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco attended the Capital SouthEast Connector Joint Powers Authority (JPA) meeting last week. The project is moving forward. There is going to be a forum that Supervisor Mikulaco will participate in which will take place in Sacramento to discuss the economic impact of the Connector. Supervisor Mikulaco made it clear to the JPA that El Dorado County would not commit any Traffic Impact Mitigation (TIM) fee money to the project any time soon.

Supervisor Frentzen wanted to acknowledge the Transportation Department staff for holding a public workshop on Monday evening for the Greenstone Road at Slate Creek Bridge project.

Supervisor Veerkamp also attended the Transportation Department's workshop on Monday evening.

Supervisor Veerkamp will be attending the Sacramento Area Council of Governments monthly meeting on Thursday.

Supervisor Veerkamp has been involved in several fire recovery meetings along with Supervisors Briggs and Santiago.

Supervisor Briggs believes that the fire may bring sensible logging back into the community.

Supervisor Briggs wanted to thank Supervisor Frentzen for attending the Elder Protection Unit meeting last week.

Supervisor Santiago attended the Tahoe Prosperity Center Executive Committee meeting where she introduced the Regional Director for Economic Development and Administration based out of Seattle. He spoke of the economic development dollars that are available for technical assistance for the area.

Supervisor Santiago also attended the Tahoe Transportation District regular meeting last Friday. The Nevada Stateline-to-Stateline Bikeway Phase 3 was moved forward. The Tahoe Transportation District is working with the Incline Village General Improvement District to put in a Class 1 Bikeway. There was also a presentation on the Bay to Tahoe Basin study which was conducted by the El Dorado County Transportation Commission.

ADJOURNED AT 2:44 P.M.

CLOSED SESSION

19. 14-1362 **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 Corrections Bargaining Unit; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; and El Dorado County Law Enforcement Managers Association. (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
20. 14-1382 **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director of Information Technologies. (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
21. 14-1383 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Health & Human Services Agency. (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
22. 14-1384 **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Jack Hughes of Liebert, Cassidy, Whitmore; Director of HNSA and/or designee. Non-employee organization: In-Home Supportive Services. (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**
23. 14-1387 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Christopher Sauer, Heather Graves, Deborah Tidwell, individually and as Guardian Ad Litem for minors E.P. and J.S. vs County of El Dorado, Nicole Williams, Alicia Tinsley, Lari McNeill, James Peterson and Does 1-10 inclusive. Case number PC20140205 Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
24. 14-1401 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 20 Min.)
- No Action Reported. All five Supervisors participated.**

25. 14-1410

Conference with Legal Counsel - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(d)(2).
Number of potential cases: (1). (Est. Time: 5 Min.)

No Action Reported. All five Supervisors participated.

ADDENDUM

2:00 P.M. - TIME ALLOCATION

- 26. 14-1417** El Dorado County Sheriff's Office of Emergency Services recommending the Board adopt Resolution **179-2014** which finds that a state of emergency exists in El Dorado County as a result of drought conditions.

This matter was Continued to October 21, 2014 upon Approval of the Consent Calendar.