



County of El Dorado

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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, July 30, 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.

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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 Mikulaco, Supervisor Veerkamp and Supervisor Nutting

Absent: 1 - Supervisor Santiago

9:16 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Pastor Dave Cook of the Cold Springs Community Church gave the Invocation.
Supervisor Santiago led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar 1

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to Adopt the agenda and approve Consent Calendar 1 with the following change:
Item No. 3 pulled.**

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

Approval of the Consent Calendar 2

PUBLIC COMMENT: K. Payne, J. Harbaugh, L. Parlan

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to approve Consent Calendar 2 with the following changes: Item No. 4 approved with the exception of July 23, 2013 Minutes continued to August 6, 2013; Item No. 8 pulled, Item 13 to include the name of the lowest responsive, responsible bidder as Herback General Engineering.

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.

[13-0961](#)

OPEN FORUM

PUBLIC COMMENT: K. Newall

CAO UPDATE

No update provided.

CONSENT CALENDAR 1

1. [13-0899](#) Treasurer-Tax Collector's Office recommending the Board adopt Resolution **109-2013** granting approval to sell tax defaulted properties via the Internet, noting said sale to be conducted beginning November 1, 2013 through November 5, 2013.

Resolution 109-2013 was Adopted upon Approval of Consent Calendar 1.

2. [13-0855](#) Treasurer-Tax Collector's Office recommending the Board adopt Resolution **112-2013** granting approval to sell tax-defaulted properties, noting said sale to be conducted on November 1, 2013.

Resolution 112-2013 was Adopted upon Approval of Consent Calendar 1.

3. [13-0852](#) Supervisor Santiago recommending the Board consider the following:
1) Approve her retroactive attendance as the county representative to the 2012 El Dorado County, Folsom, El Dorado Hills, and Shingle Springs/Cameron Park Chambers of Commerce Study Mission, "Urban to Rural Connection," July 12-15, 2012 in Santa Fe, New Mexico. Expenses for this event total \$1,200 to be paid out of the District V budget.
2) Approve her retroactive attendance as the county representative at the annual National Association of Counties (NACO) conference from March 1, 2013 to March 6, 2013 to include two (2) additional nights lodging for attendance at multiple meetings in Washington, D.C. on March 6 and 7, 2013. (List provided within Attachment B). Expenses for the NACO event total approximately \$3,200 (including the two additional nights) to be paid out of the Clerk of the Board budget.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago to Approve this matter citing the item is in accordance with AB1234 (Ethics) and county policy.

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

CONSENT CALENDAR 2

4. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Special Meeting Minutes from the Monday, June 24, 2013, and Thursday, June 27, 2013; and the Regular Meeting Minutes from Tuesday, July 16, 2013 and Tuesday, July 23, 2013.

This matter was Approved on Consent Calendar 2 with the exception of the Minutes for July 23, 2013 being Continued to August 6, 2013.

5. [13-0693](#) Chief Administrative Office recommending the Board approve a clarification to the terms of Agreement 105-S1411 with Melissa M. van der Vijver, Esq. to begin August 1, 2013. (7/16/13, Item 12)

This matter was Approved on Consent Calendar 2.

6. [13-0922](#) Chief Administrative Office recommending the Board approve the attached Budget Transfer reducing General Fund Contingency by \$100,000 and increasing appropriations to the Superior Court Maintenance of Effort for Fiscal Year 2012-2013. (4/5 vote required)
- This matter was Approved on Consent Calendar 2.**
7. [13-0928](#) Chief Administrative Office recommending the Board adopt Resolution **113-2013** revising the salary for the position of Director of Human Resources, effective the first pay period that begins after the adoption of the Resolution.
- FUNDING:** General Fund.
- Resolution 113-2013 was Adopted upon Approval of Consent Calendar 2.**
8. [13-0606](#) Chief Administrative Office recommending the Board consider postponing the status update on the Sacramento - Placerville Transportation Corridor as directed by the Board at their meeting of June 11, 2013 (Item 1). Staff requests additional time to prepare the update and return to the Board on September 24, 2013.
- A motion was made by Supervisor Santiago, seconded by Supervisor Mikulaco, to:**
- 1) Approve this matter with a change to the date from September 24, 2013 to October 1, 2013 for the update pertaining to the Sacramento-Placerville Transportation Corridor (SPTC); and**
- 2) Direction to return to the Board on August 6, 2013 for consideration of future pancake breakfasts.**
- Yes:** 3 - Santiago, Mikulaco and Veerkamp
- Noes:** 1 - Briggs
9. [13-0847](#) Chief Administrative Office and Probation Department recommending the Board authorize the Chair to sign Lease Agreement No. 611-L1311 with Durock Road, LLC to lease 10,346 square feet of office space at 3974 Durock Road, Suites 205-2011, Shingle Springs (Area 1) for use by the Probation Department and approximately 4,124 square feet of new lease space located at 3974 Durock Road, Suites 201-204, Shingle Springs (Area 2), to be occupied by the Community Corrections Center (CCC); commencing the first day of the next calendar month after lease execution for a period of 5 years, after the completion and acceptance of Tenant Improvements for Area 2.
- FUNDING:** General Fund and AB 109.
- This matter was Approved on Consent Calendar 2.**

10. [09-0998](#) Community Development Agency, Administration and Finance Division, recommending the Board consider the following:
- 1) Approve the continuation of four current perpetual contracts, one current perpetual purchase order, and one current perpetual subsidy:
 - a) No. 428-S0110 with the State of California, Department of Transportation to provide signal maintenance service;
 - b) No. 821-S0710 with Squarerigger, Inc. to provide annual software support and maintenance;
 - c) No. 427-M0810 for the Capital SouthEast Connector Joint Powers Authority for the planning, design, and construction of the Elk Grove - Rancho Cordova - El Dorado Connector;
 - d) No. 098-O1111 with the State of California Board of Equalization for electronic filing of reporting sales tax collected;
 - e) No. 838-O0910 with Viathor, Inc. to provide annual software support and maintenance; and
 - f) Cameron Park Airport District subsidy to fund road maintenance;
 - 2) Authorize the Purchasing Agent to establish blanket purchase orders as necessary to process associated payments for Fiscal Year 2013/2014.

FUNDING: Road Fund and Road District Tax Fund.

This matter was Approved on Consent Calendar 2.

11. [13-0857](#) Community Development Agency, Administration and Finance Division, recommending the Board approve the following:
- 1) Award Request for Qualifications No. 13-918-029 for Airport Consulting Services for the Placerville and Georgetown Airports to C & S Engineers, Inc. of Syracuse, New York, whose local office is in Sacramento, California; and
 - 2) Authorize the Chair to execute Agreement for Services No. 532-S1311 in the amount of \$350,000 for a term of three (3) years or upon completion of all issued Task Orders, whichever is later.

FUNDING: Federal Aviation Administration grants and Accumulated Capital Outlay funds.

This matter was Approved on Consent Calendar 2.

12. [13-0512](#) Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Friends of the Rubicon Trail Seasonal Drainage Project:
- 1) Determine that the proposed work required for replacement of the existing crossing with a multi-plate arch pipe may be accomplished pursuant to Public Contract Code, Section 20395(c) in that the County shall perform the work by purchasing the materials and having the work performed by day labor, in which case advertising for bids is not required;
 - 2) Authorize the Transportation Division Director to use County staff/maintenance workers as day labor to perform the proposed work required for replacement of the existing bridge crossing with a new multi-plate open bottom arch pipe, backfill of the pipe, placement of aggregate base material in the travel way, and placement of rock rip-rap at the inlet and outlet sections; and
 - 3) Declare its intent to utilize its authority under Public Contract Code Section 22031 to perform force account work prior to commencing work on the Project.

FUNDING: California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division Grants Program Funds.

This matter was Approved on Consent Calendar 2.

13. [13-0361](#) Community Development Agency, Transportation Division, recommending the following pertaining to the Montgomery Estates Area 2 Erosion Control Project, Contract No. PW 13-30674, CIP No. 95170, P&C No. 057-C1499:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for July 12, 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 Acting Community Development Agency Director 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. (Cont. 7/23/13 Item 13)

FUNDING: United States Forest Service Grant Funds and Prop 84 Funds.

This matter was Approved on Consent Calendar 2 noting the bid was awarded to Herback General Engineering.

14. [13-0908](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign a seven day notice of termination of services to Agreement for Services 004-S1211 with Progress House, Inc. to be effective August 6, 2013.

This matter was Approved on Consent Calendar 2.

15. [11-1203](#) Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment II to Agreement for Services 378-S1010 with Placer County for acute psychiatric treatment at the County of El Dorado psychiatric health facility, increasing the maximum obligation to \$100,000 per fiscal year, with no change to the term of this perpetual Agreement; and
 - 2) Authorize the Chief Administrative Officer or their designee to execute further documents relating to Agreement for Services 378-S1010, 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: Placer County.

This matter was Approved on Consent Calendar 2.

16. [13-0868](#) Health and Human Services Agency, Social Services Division, recommending the Board to consider the following:
- 1) Authorize the Chair to execute retroactive non-financial Operational Agreement for Services 068-O1411 with MAXIMUS, INC., for the term July 1, 2013 and no end date for the use of County workspace by MAXIMUS, Inc. for the preparation and presentation of the Health Care Options program under the California Department of Health Care Services' Medi-Cal Managed Care Division; 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 dollar amount or term of the Agreement.

FUNDING: There is no funding associated with this Operational Agreement.

This matter was Approved on Consent Calendar 2.

17. [13-0890](#) Health and Human Services Agency recommending the Board approve and authorize said Agency to sign a letter of support for El Dorado County Community Health Center's application for a Service Area Competition Grant through the Health Resources and Services Administration.
- FUNDING:** This letter of support has no financial implication to the County.
- This matter was Approved on Consent Calendar 2.**
18. [11-0671](#) Health and Human Services Agency, Community Services Division, recommending the Board authorize the Chair to sign Amendment I to Facility Use Agreement 096-O1210 with the Pollock Pines/Camino Community Center Association to lease space located at 2675 Sanders Drive, Pollock Pines for the Senior Nutrition Program in the amount of \$350.00 per month. Amendment I extends the term of the lease an additional two years to July 31, 2015.
- FUNDING:** State and Federal Grant Funds, Participant Donations, and General Fund.
- This matter was Approved on Consent Calendar 2.**
19. [12-0784](#) Sheriff's Office recommending the Board adopt Resolution **111-2013** updating the titles of authorized Sheriff's staff who can execute grant documents necessary for the purpose of obtaining or managing federal financial assistance provided by the Federal government and subgranted through the State of California.
- FUNDING:** Grant Funds.
- Resolution 111-2013 was Adopted upon Approval of Consent Calendar 2.**
20. [13-0129](#) Sheriff's Office recommending the Board approve the purchase of a Lenco Armored Rescue Vehicle, AKA BearCat, in an amount not to exceed \$291,399.12 in Fiscal Year 2013/2014. This purchase was originally budgeted in Fiscal Year 2012/2013, but delivery of the vehicle was delayed until Fiscal year 2013/2014.
- FUNDING:** Sheriff's State and Federal Asset Forfeiture Funds.
- This matter was Approved on Consent Calendar 2.**

21. [13-0926](#)

Supervisor Veerkamp recommending the Board accept the following recommendation pertaining to the Veteran's Affairs Commission:

- 1) Make Kurt Raffetto the District 3 member position with a term expiration of January 1, 2017; and
- 2) Make Rich Buchanan the alternate with a term expiration of January 1, 2017 on the Veteran's Affairs Commission.

The status is currently in reverse order and at the request of current member Rich Buchanan and with Kurt Raffetto's agreement, Supervisor Veerkamp recommends the switch.

This matter was Approved on Consent Calendar 2.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION 1

22. [13-0910](#) Presentation by El Dorado County's Public Health Officer, Dr. Alicia Paris-Pombo, on the health of El Dorado County and the 2013 County Health Rankings. (Est. Time: 20 Min.)

Received and Filed.

23. [13-0876](#) Chief Administrative Office, Economic Development Division, recommending the Board receive a "Business Showcase" by the El Dorado County Community and Economic Development Advisory Committee highlighting the Georgetown Divide Economy 2013. (Est. Time: 45 Min.)

Received and Filed.

DEPARTMENT MATTERS 1

24. **11-0666** HEARING - Health and Human Services Agency recommending the Board adopt Resolution **110-2013** thereby establishing that fixed benefit assessments shall be maintained at the current fee level to support emergency medical services in County Service Area No. 3, South Shore Area, on improved parcels within the Service Area (except for the Tahoe West Shore Zone of Benefit) for Tax (Fiscal) Year 2013-14. (Est. Time: 5 Min.)

FUNDING: County Service Area 3 Benefit Assessments.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to Adopt Resolution 110-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

25. [13-0873](#) Supervisor Briggs is recommending the Board consider adding an alternate board member to the El Dorado County Water Agency Board of Directors.

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco, to appoint Supervisor Mikualco as the Boards' alternate representative to the El Dorado County Water Agency.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

26. **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.

Received and Filed.

27. [13-0929](#) Supervisor Mikulaco recommending the Board revisit Policy B-15, Traffic Impact Fee deferral for owner occupied single family housing. (Est. Time: 45 Min.)

PUBLIC COMMENT: K. Payne

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to continue this matter off calendar.

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

2:00 P.M. - TIME ALLOCATION 1

28. [13-0889](#) Community Development Agency, Long Range Planning Division, recommending the Board receive information on the Green Valley Road Corridor (Corridor), and provide direction on the timing of a corridor study. (Est. Time: 30 Min.)

PUBLIC COMMENT: D. VanDyke, B. Brown, D. Kearsy, N. Rowett, B. Welty, K. Garcia, C. MacDougal, K. Clinghammer, K. Payne, A. Anders, L. Price, J. Korotkin

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco, directing staff to move forward with the Green Valley corridor analysis and return to the Board with an identified funding source, draft scope of work and schedule for the project.

Yes: 4 - Briggs, Mikulaco, Veerkamp and Nutting

Absent: 1 - Santiago

29. [13-0924](#) Community Development Agency (CDA) Long Range Planning Division presenting a workshop to begin the preparation of the 2014 Capital Improvement Plan (CIP), and requesting direction on the Board's preferred growth projection option for the CIP and Traffic Impact Mitigation Fee (TIM) Fee Program updates. (Est. Time: 90 Min.)

PUBLIC COMMENT: B. Center, N. Rowett, F. Duchon, N. Briel

No formal action taken, however, direction was provided to staff to move forward with historical trend model (1%) and return to the Board in September 2013 with an update.

30. [13-0782](#) Community and Economic Development Advisory Committee (CEDAC) providing information and recommendations on the Land Use Policy Programmatic Update (LUPPU) and beyond in support of the County's Capital Improvement Program. (Est. Time: 20 Min.)

PUBLIC COMMENT: N. Rowett, F. Duchon

Received and Filed.

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION

31. **13-0930** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
32. **11-1363** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
33. **11-1362** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
34. **12-1301** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Bruce and Claudia Wade v. County of El Dorado, American River Conservancy, et al., El Dorado County Superior Court Case No. PC 20120264 (Est. Time: 60 Min.)
No Action Reported.
35. **13-0234** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 344 Placerville Drive (APN 323-400-23). The person or persons with whom the negotiator may negotiate is Pioneers Plaza Ltd. Partnership or designated agent. Instructions to negotiator will concern terms of payment. Russ Fackrell will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
No Action Reported.
36. [13-0931](#) **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Human Resources Director. (Est. Time: 15 Min.)
This matter was continued to August 6, 2013.
37. **13-0901** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 30 Min.) (Refer 7/23.13, Item 26)
This matter was continued to August 6, 2013.

ADDENDUM**DEPARTMENT MATTERS 2**

38. [13-0934](#) Community Development Agency, Transportation Division, recommending the Board authorize the Acting Community Development Agency Director to sign and submit Federal Highway Administration Federal Lands Highway Agreement No. DTFH68-13-E-00077 with the Federal Highway Administration, Central Federal Lands Highway Division, in the amount of \$7,000 for the preparation of a project scoping report, project agreement, and project delivery plan for the Ice House Road Rehabilitation Project, which will facilitate the request for a \$2.9 million grant, contingent upon review and approval of the Agreement by County Counsel and Risk Management.

FUNDING: Sacramento Municipal Utility District funds.

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp