



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, June 11, 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

Supervisor Nutting was present when the meeting was called to order, however was not a participant in any closed session items.

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

9:21 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 Craig Klatt from Camino Adventist Church provided the Invocation.
Supervisor Nutting led the pledge of allegiance.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR 1

NO PUBLIC COMMENT

A motion was made by Supervisor Nutting, seconded by Supervisor Veerkamp to approve Part 1 of the Consent Calendar (Items 3,4 and 5).

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

APPROVAL OF CONSENT CALENDAR 2

PUBLIC COMMENT - L. Parlin, P. Chelseth, K. Newell, S. Taylor

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to approve Part 2 of the Consent Calendar.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

[13-0008](#)

OPEN FORUM

PUBLIC COMMENT - L.Brent-Bumb; K.Tyler; K.Smith; M.Lane; S.Taylor

[13-0010](#)

CAO UPDATE

Representatives from Risk Management brought attention to the Farmers Market scheduled to occur every Friday from 10:00 a.m. - 2:00 p.m. at the Placerville Main Library beginning Friday, June 14, 2013 through Friday, September 27, 2013.

CONSENT CALENDAR PART 1

1. [13-0606](#) Chief Administrative Office recommending the Board:
- 1) Approve a request from Placerville and Sacramento Valley Rail Road to run an excursion train to Latrobe for the Pancake Fundraiser Breakfast on June 30, 2013 and July 28, 2013;
 - 2) Direct staff to return to the Board on July 30, 2013 to discuss the Board's past action on the Sacramento - Placerville Transportation Committee (SPTC) and develop a plan for moving forward.

PUBLIC COMMENT - K.Payne, B.Smart, L.Price, J.Sweeney, J.Harville

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago to Approve this matter and direct staff to return to the Board with a status report on July 30, 2013.

Yes: 3 - Santiago, Mikulaco and Veerkamp

Noes: 1 - Briggs

2. [13-0510](#) Community Development Agency, Development Services Division, providing the Board with a "white paper" for a discussion regarding Community Region Boundary Lines as directed on May 7, 2013; and set June 27, 2013 as a Special Meeting of the Board of Supervisors for further direction. (Cont. Item 25, 5/7/13).

This matter was Approved on Consent Calendar 2.

3. [12-0717](#) Supervisor Briggs recommending the Board authorize Chairman to sign proclamation recognizing June 13-16, 2013, as "El Dorado County Fair Week"

The El Dorado County Fair Board of Directors and the Fair Manager extends an invitation to the Board of Supervisors to attend the ribbon cutting for the opening of the Fair on Thursday, June 13, 2013, at 11:50 a.m. at the Green Gate at the El Dorado County Fairgrounds.

This matter was Approved on Consent Calendar 1.

4. [10-0542](#) Supervisor Briggs recommending the Board consider the following pertaining to the 4th of July Celebration Firework Display to be held at Fannon Lake on Thursday, July 4, 2013:

1) Adopt Resolution **070-2013** permitting the Mosquito Volunteer Fire Association to conduct a non-aerial firework display from a floating dock in the middle of Fannon Lake for the event, contingent upon full compliance with the requirements, insurance, contracts and permits deemed necessary by the control agencies; and,

2) Authorize the Chairman to sign a letter to the Chief of the Mosquito Fire Protection District approving same.

Resolution 070-2013 was Adopted upon Approval of Consent Calendar 1.

5. [13-0684](#) Supervisor Santiago recommending the Board:
- 1) Appoint Kathay Lovell to complete the term of resigned Trustee, Jeanne Proto, on the Happy Homestead Cemetery District Board of Trustees, serving through January 1, 2015; and,
- 2) Reappoint Joe Tillson and John Poell to the District Board of Trustees for terms to expire January 1, 2017.

This matter was Approved on Consent Calendar 1.

CONSENT CALENDAR PART 2

6. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, June 4, 2013.

This matter was Approved on Consent Calendar 2.

7. [11-0440](#) Auditor-Controller recommending the Board retain Gallina LLP of Roseville to conduct the County's independent audit for the fiscal year ending June 30, 2013; and authorize the Chair to sign Amendment III to Agreement for Services No. 491-S1011 in the amount not to exceed \$68,500. This amendment has been reviewed and approved by County Counsel and Risk Management.

This matter was Approved on Consent Calendar 2.

8. [13-0621](#) Auditor-Controller recommending the Board receive and file the audits performed by Gallina, LLP, of the County's financial statements for the year ended June 30, 2012. Their reports include:

- 1) Annual Financial Report;
- 2) OMB A-133 Single Audit;
- 3) Appropriations Limit Calculations;
- 4) California Emergency Management Agency Programs;
- 5) California Department of Community Services and Development Programs; and
- 6) Management Report.

This matter was Approved on Consent Calendar 2.

9. [13-0693](#) Chief Administrative Office recommending the Board authorize the Chair to sign Agreements with the following for indigent defense/conflict panel services:

- 1) Adam Clark, Esq., Agreement No. 021-S1411;
- 2) James Clark, Esq., Agreement No. 025-S1411;
- 3) John Castellanos, Esq., Agreement No. 026-S1411;
- 4) Lori London, Esq., Agreement No. 027-S1411;
- 5) Paul Palant, Esq., Agreement No. 028-S1411; and
- 6) Stephen Tapson, Esq., Agreement No. 073-S1411.

FUNDING: General Fund.

This matter was Approved on Consent Calendar 2.

10. [13-0612](#) Chief Administrative Office, Facilities Division, recommending the Board ratify the Chief Administrator's signature on Change Order No. 1 to Agreement for Construction Services No. 391-C1325 with Joe Vicini, Inc. to modify parking lot asphalt to improve drainage at the Veteran's Memorial Building in Placerville.

FUNDING: ACO Fund.

This matter was Approved on Consent Calendar 2.

11. [13-0645](#) Chief Administrative Office, Risk Management Division, recommending the Board approve the following related to the Sun Life Financial Insurance Policy:
- 1) Authorize the Assistant Chief Administrative Officer to sign the extension for the policy through December 31, 2013 maintaining the current rates; and
 - 2) Authorize the Purchasing Agent to increase Blanket Purchase Order 20110020 by \$240,394 for a not to exceed amount of \$1,693,031 to continue payment of premiums through December 31, 2013.

FUNDING: Budgeted through the Risk Management Internal Service.

This matter was Approved on Consent Calendar 2.

12. [11-1253](#) Community Development Agency, Environmental Management Division, recommending the Board authorize the Chair to sign Amendment 2 to Agreement No. 248-S1211 between the County of El Dorado and Decade Software Company for additional services and licensing required to implement the Press Agent Software module for the Envision Connect software application.

FUNDING: Grant Funded.

This matter was Approved on Consent Calendar 2.

13. [13-0508](#) Community Development Agency, Transportation Division, recommending the Board adopt Resolution **069-2013** accepting the 2012 revisions to the County of El Dorado Maintained Mileage System.

Resolution 069-2013 was Adopted upon Approval of Consent Calendar 2.

14. [13-0682](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreements for Public Purposes and the Certificates of Acceptance for the related documents from Huddinge Partners, a Nevada Limited Partnership, for Assessor's Parcel Numbers 118-170-04 and 121-280-12; and
 - 2) Authorize the Transportation Division Director or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328, upon County Counsel review and approval.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on Consent Calendar 2.

15. [13-0233](#) Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Lake Tahoe Boulevard Enhancement Project (CIP No. 95186):
- 1) Adopt the Mitigated Negative Declaration for the Lake Tahoe Boulevard Enhancement Project;
 - 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study (IS)/MND); and
 - 3) Approve the Lake Tahoe Boulevard Enhancement Project as described in the California Environmental Quality Act Mitigated Negative Declaration. (Cont'd 6/4/13, Item 15)

FUNDING: United States Forest Service Lake Tahoe Basin Management Unit - Erosion Control, State of California - Congestion Mitigation for Air Quality Program, Regional Surface Transportation Program, and Tahoe Regional Planning Agency mitigation funds.

This matter was Approved on Consent Calendar 2.

16. [13-0529](#) Community Development Agency, Transportation Division, recommending the Board:
- 1) Adopt Resolution **071-2013** authorizing the Transportation Division Director to submit applications, sign applications, and obtain and/or execute Use Permits, Encroachment Permits, Right of Entry Permits, and License Agreements to construct Capital Improvement Program Projects, Environmental Improvement Program Projects, and Maintenance Projects to allow the program implementation process to function more efficiently; and
 - 2) Ratify the Interim Director of Transportation's approval and execution of the United States Forest Service Road Use Permit and Special Use Permit for the Rubicon Trail at Ellis Creek - Bridge Replacement Project.
- Resolution 071-2013 was Adopted upon Approval of Consent Calendar 2.**

17. [12-0987](#) Health and Human Services Agency recommending the Board:
- 1) Rescind Resolution No.124-2012 which was approved by the Board on September 11, 2012, that was intended to increase the Public Health Imprest Cash Account in Placerville, but mistakenly replaced a resolution that was specific to the South Lake Tahoe Imprest Cash Account; and
 - 2) Adopt Resolution **067-2013** to increase the Public Health Division, Placerville, Imprest Cash Account from One Hundred Dollars (\$100) to Two Hundred and Fifty Dollars (\$250) to provide sufficient cash on hand for daily business operations.

FUNDING: Public Health Realignment.

Resolution 067-2013 was Adopted upon Approval of Consent Calendar 2.

18. [12-0669](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **068-2013** authorizing the Chair to sign Amendment 2 to Agreement AP-1213-29 with the California Department of Aging, decreasing the maximum agreement amount by \$18,494, from \$940,798 to \$922,304, for the provision of Title III/VII senior services during the term July 1, 2012 through June 30, 2013.

FUNDING: Federal/State Grant Funding.

Resolution 068-2013 was Adopted upon Approval of Consent Calendar 2.

19. [13-0607](#) Health and Human Services Agency, Community Services Division, recommending the Board authorize the Chair to sign a Budget Transfer decreasing Area Agency on Aging Administration budgeted revenue and appropriations by \$20,000, decrease Multipurpose Senior Services Program (MSSP) State and Federal revenue by \$20,000, and offset this loss of revenue by increasing the General Fund Contribution that was originally allocated to the Area Agency on Aging Commission in the amount of \$20,000 to MSSP. (4/5 vote required)

FUNDING: General Fund Contribution.

This matter was Approved on Consent Calendar 2.

20. [10-1000](#) Sheriff's Office recommending the Board approve a Memorandum of Understanding (MOU) and Cost Reimbursement Agreement with the Federal Bureau of Investigation (FBI) retroactive to the beginning of the Federal Fiscal Year 2012/2013, October 1, 2012, for the duration of the Child Exploitation Task Force (CETF) operations to reimburse overtime for officers assigned to the CETF, formerly called the FBI Sacramento Cyber Crime Task Force.

FUNDING: Federal Bureau of Investigation.

This matter was Approved on Consent Calendar 2.

21. [11-0588](#) Treasurer-Tax Collector recommending the Board approve the continuation of the following perpetual agreements for a total amount of \$103,600 for the Fiscal Year 2013-2014 for ongoing maintenance and support for equipment, software licensing and treasury services as follows:

- 1) Bloomberg LP;
- 2) Bank of New York Western Trust;
- 3) Diebold Inc;
- 4) HP Enterprises Services LLC (formerly known as EDS);
- 5) Loomis, Fargo and Company;
- 6) NCR Corporation;
- 7) Professional Consultancy International (PCI, LLC); and
- 9) Sympro Inc.

FUNDING: General Fund.

This matter was Approved on Consent Calendar 2.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

22. [13-0683](#) Supervisor Briggs recommending the Board present a Proclamation to Bob Slater in recognition of his twenty-two years of dedicated service to the County of El Dorado and the Department of Transportation . (Est. Time: 10 Min.)

PUBLIC COMMENT - K.Kerr, E.Knapp, M.Smeltzer, J.Kahling

No Formal Action. Supervisor Briggs presented the Proclamation to Bob Slater.

23. [13-0613](#) Supervisor Santiago recommending the Board:
1) Receive a presentation by Elizabeth Blakemore, Coordinator, El Dorado County Early Care and Education Planning Council, recognizing Wendy Wood, a member since 1999 who is resigning this year; and,
2) Approve the Chair's signature on a certificate of appreciation. (Est. Time: 10 Min.)

No Formal Action. Supervisor Santiago presented a Certificate of Appreciation to Wendy Wood.

11:00 A.M. - TIME ALLOCATION

24. [13-0711](#) Supervisor Nutting recommending the Board:
- 1) Receive a presentation from Philip Cowdery of his required service project to achieve the Rank of Eagle Scout;
 - 2) Authorize the Chair to sign a Certificate of Recognition to Philip Cowdery for achieving the rank of Eagle Scout, Troop 401, in the Boy Scouts of America. (Est. Time: 10 Min.)
- A motion was made by Supervisor Nutting, seconded by Supervisor Briggs, to Approve this matter. Supervisor Nutting presented a Certificate of Recognition to Philip Cowdery.**
- Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting
25. [13-0676](#) Supervisor Veerkamp recommending the Board authorize the Chair to sign a Certificate of Recognition for Eagle Scout Kevin Ralphs, Boy Scouts of America, Troop 859, Diamond Springs, California. (Est. Time: 10 Min.)
- PUBLIC COMMENT - K.Payne, L.Price*
- A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to Approve this matter. Supervisor Veerkamp provided a Certificate of Recognition to Kevin Ralphs.**
- Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting

DEPARTMENT MATTERS PART 1

26. [13-0024](#) Development Services recommending the Board take the following actions:
- 1) Discuss whether to enter into negotiations for a Development Agreement requested by Ann Wilson, Julie Ryan, Katie Ryan, and Lisa Vogelsang (Developers) for the development known as Wilson Estates (Rezone Z11-0007/Tentative Map TM11-1504); and
 - 2) If the Board does wish to enter into negotiations, to select a Board subcommittee to work with staff to develop the deal points of the Development Agreement. (Est. Time: 30 Min.)
- PUBLIC COMMENT - K.Payne, K.Garcia, E.VanDyke, M.McDougal*
- A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco, to disapprove of the County entering into negotiations for the development agreement known as Wilson Estates.**
- Yes:** 4 - Briggs, Santiago, Mikulaco and Veerkamp

27. [13-0537](#) Auditor-Controller recommending the Board hold a public hearing on June 11, 2013 for discussion and adoption of Resolution **059-2013** establishing the Fiscal Year 2013-2014 Proposition 4 ("Gann Spending Limit") for the County of El Dorado in the amount of 176,261,521. (Cont'd 6/4/13, Item 30)

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco, to Approve this matter and adopt Resolution 059-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

DEPARTMENT MATTERS PART 2

28. [13-0572](#) HEARING - Per the request of Tahoe Truckee Sierra Disposal, Inc. and pursuant to the amended April 4, 1995 Collection Franchise Agreement, consider their request to conduct a public hearing and adopt Resolution **072-2013** increasing the comprehensive solid waste collection rate schedule by one percent (1%) in accordance with the current agreement and approve the revised rate schedule, effective July 1, 2013.

A motion was made by Supervisor Santiago, seconded by Supervisor Veerkamp, to Approve this matter and adopt Resolution 072-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

29. [13-0573](#) HEARING - Per the request of Waste Connections of California, Inc., d/b/a Amador Disposal Service Inc., and pursuant to the amended June 25, 2002 Franchise Agreement, consider their request to conduct a public hearing and adopt Resolution **073-2013** increasing the solid waste collection rates by two percent (2%), effective July 1, 2013.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to Approve this matter and adopt Resolution 073-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

30. [13-0574](#) HEARING - Per the request of Waste Connections of California, Inc. d/b/a El Dorado Disposal Service and pursuant to the amended August 23, 2004 Solid Waste Services Agreement, consider their request to conduct a public hearing and adopt Resolution **074-2013** increasing the solid waste collection and Material Recovery Facility (MRF) rates by two percent (2%), effective July 1, 2013.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago, to Approve this matter and adopt Resolution 074-2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

31. [12-1496](#) Community Development Agency, Environmental Management Division, recommending the Board receive an update on Cottage Food Operations and the associated fee schedule adopted by the Board on December 11, 2012.

Received and Filed.

32. **12-0965** Chief Administrative Office requesting Board direction regarding a Property Assessed Clean Energy (PACE) program in conjunction with Ygrene Energy Fund. (Cont'd 6/4/13, Item 34)

This matter was continued off calendar upon adoption of Consent Calendar Part 2.

33. **13-0549** Chief Administrative Office, Procurement and Contracts on behalf of the Community Development Agency, Transportation Division, recommending the Board approve the following:
- 1) Award RFP No. 13-918-038 for the preparation of an update to the 1993 Bridge Replacement Study and environmental document to improve the Mosquito Road Bridge, crossing the South Fork of the American River (County CIP No. 77126, Bridge No. 25C0061) to Quincy Engineering of Sacramento, CA; and
 - 2) Authorize the Community Development Agency Director to negotiate a contract for the project and return to the Board for contract approval.

FUNDING: Federal Highway Administration Local Assistance Highway Bridge Program. (Cont'd 6/4/13, Item 10)

This matter was continued to June 25, 2013 upon adoption of Part 2 of the consent calendar.

34. [12-1247](#) Health and Human Services Agency, Community Services Division, recommending the Board:
- 1) Authorize the Chair to sign Modification 2 to Contract No. K386295-01 with Golden Sierra Job Training Agency, increasing the total contract amount from \$910,348 to \$1,044,790 and extending the funding term for Rapid Response and Youth services to December 31, 2013 for the continuing provision of Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and
 - 2) Authorize the Director or Assistant Director of the Health and Human Services Agency, or their successors, to execute subsequent documents relating to said contract, including one or more amendments thereto, that do not change the total contract term or amount and contingent upon approval by County Counsel and Risk Management, and to sign any required fiscal or programmatic reports.

FUNDING: Federal Workforce Investment Act Allocation.

This matter was Approved on Consent Calendar 2.

35. [13-0635](#) Acting as the Governing Body of the El Dorado County In-Home Supportive Services Public Authority:

Health and Human Services Agency, Community Services Division, recommending the Board authorize the Chair to sign a Budget Transfer increasing In-Home Supportive Services Public Authority revenue and appropriations by \$79,000 due to a change in State payment methodology for the In-Home Supportive Services program. (4/5 vote required)

FUNDING: 82% Federal/State In-Home Supportive Services Allocation with 18% required County General Fund Match.

This matter was Approved on Consent Calendar 2.

36. [13-0636](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign a Budget Transfer increasing In-Home Supportive Services Program Administration revenue and appropriations by \$123,000, decreasing In-Home Supportive Services IP Program revenue and appropriations by \$141,973, and decreasing operating transfers and increasing appropriations for contingencies by \$141,973 within the Social Services 1991 Realignment fund due to a change in State payment methodology for the In-Home Supportive Services program. (4/5 vote required)

FUNDING: 85% Federal/State In-Home Supportive Services Allocation with 15% required County Match met primarily with realignment resources.

This matter was Approved on Consent Calendar 2.

37. [13-0095](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize payment of invoices from Sierra Foothills AIDS Foundation, Inc. totaling \$69,423.05 for case management services provided during the period of July 2012 through January 2013 under Agreement for Services 222-S1311. (Cont'd 6/4/13, Item 19)

FUNDING: Federal (100%) via Ryan White Comprehensive Acquired Immunodeficiency Syndrome Resources Emergency Act ("CARE Act").

This matter was Approved on Consent Calendar 2.

38. [13-0557](#) Health and Human Services Agency, Mental Health Division, recommending the Board:
- 1) Authorize the Chair to sign Agreement for Services 450-S1311 with North Valley Behavioral Health, LLC for the use of their psychiatric health facility services on an "as requested" basis, for the term July 1, 2013 through December 31, 2018, with a maximum obligation of \$200,000 per fiscal year; and
 - 2) Authorize the Purchasing Agent 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: Federal and State funding.

This matter was Approved on Consent Calendar 2.

39. [13-0677](#) Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the U.S. 50 / Silva Valley Parkway Interchange - Phase 1 Project, Contract No. PW 12-30647, CIP No. 71328, P&C No. 078-C1499 (the "Project"):
- 1) Approve plans and specifications, and contract documents and authorize the Chair to sign the plans, subject to modifications approved by County Counsel;
 - 2) Adopt the findings that the SENSYS Networks, Inc.'s wireless vehicle detector system is designated in the contract bid documents as, a) brand-specific materials in order to match other products in use on a particular public improvement that is either completed or in the course of completion and, b) are necessary to obtain a necessary item that is only available from one source;
 - 3) Authorize staff to make a written demand of West Valley, LLC, to provide Project funds in the amount of the estimated differences in cost of construction of the Project and the amount collected in the Silva Valley Parkway Interchange Set Aside Account as provided in the West Valley Village Conditions of Approval (TM99-1359), Condition of Approval No. 26 and related documents;
 - 4) Authorize the use of the Highway 50 TIM fees paid within the West Valley Village tentative map area (TM99-1359) for the construction of the Project; Funds to be repaid by the 2004 GP Silva Valley Interchange Set Aside funds as funds become available; and
 - 5) Authorize the Chair to sign the Assignment and Assumption of Plans and Special Provisions, subject to modification approved by County Counsel.
 - 6) Authorize advertisement for construction bids for Phase 1 of the project.

FUNDING: State and Local Partnership Program (SLPP) Grant, 2004 General Plan Silva Valley Interchange Set Aside, Silva Valley Interchange Set Aside, Highway 50 TM99-1359 fees, and Developer advanced funds. Developer advanced funds shall be provided by West Valley, LLC., in accordance with the Conditions of Approval for West Valley Village Tentative Map TM99-1359, Condition of Approval No. 26 dated January 22, 2004.

PUBLIC COMMENT - T.Taran, K.Payne, P.Chelseth, J.Ham, M.McDougal

Prior to the motion, County Counsel recommended the addition of action #6 to authorize the staff to advertise to bid for Phase 1 of the project.

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco, to continue this matter to June 25, 2013 and recommending Supervisors Briggs and Mikulaco attend meetings of the subcommittee.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

40. [13-0698](#) Supervisor Mikulaco recommending the board hold a discussion on a strategy to reduce Traffic Impact Mitigation (TIM) fees for the following 3 business parks in El Dorado County: El Dorado Hills, Shingle Springs and Diamond Springs.

PUBLIC COMMENT - K.Payne, M.Ranalli, J.Harn

No Formal Action taken.

41. [13-0331](#) Community Development Agency, Development Service Division, requesting that Board continue discussion regarding the protocols, thresholds, proposed signage changes and other recommendations as directed by the Board on April 2, 2013. Additional time is needed to prepare the requested information and staff is requesting the item be discussed on August 6, 2013. (Cont. Item 20, 4/2/13)

A motion was made by Supervisor Mikulaco, seconded by Supervisor Santiago to continue this matter to August 6, 2013.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

2:00 P.M. -TIME ALLOCATION

42. [13-0524](#) Community Development Agency, Development Services Division, presenting Resolution of Intention to amend the El Dorado County Code to adopt provisions for the regulation of medical marijuana cultivation and distribution; and staff recommending the Board take the following action:
- 1) Adopt Resolution of Intention **066-2013** initiating an amendment to the El Dorado County Code to adopt an ordinance regulating the outdoor cultivation of medical marijuana and prohibiting medical marijuana dispensaries; and
 - 2) Direct staff to include the following provisions in the permanent ordinance:
 - a) Setbacks from the property line for outdoor cultivation;
 - b) *Increased cultivation area based on zoning and limit cultivation to parcels zoned for residential use; (*See 6-11-13 Minutes)
 - c) Prohibitions on outdoor cultivation within a certain distance of a school, park, church, bus stop, or other youth-oriented facility;
 - d) An appeal process to provide for consideration of unique circumstances that may apply to a specific site;
 - e) Requirements for owner authorization and residency for outdoor cultivation; and
 - f) Prohibition on the burning of waste material.

PUBLIC COMMENT - G.Floyd, M.Felson, C.Carveth, R.Miller, D.Jordan, A. Davies, F.Chavey, V.Zentner, H.Weiland, W.Williams, D.Lam, Jeff, Gary, L.Camban, John, Veronica, B.Mitchell, K.Davis, J.MacPherson, K.Schlona, M.Felson, R.Stewart.

A motion was made by Supervisor Briggs, Seconded by Supervisor Santiago, to approve staff recommendation and;

- 1) **Adopt Resolution 066-2013.**
- 2) **Include the following topics for consideration in the amended Ordinance: odor related issues, the effects of transient pesticides, infrastructure, alternatives to burning waste material and notifications to property owners; and**
- 3) **Modify action item 2b to read: "Increased cultivation area based on zoning and limit cultivation to parcels zoned for residential use."**

Minutes amended by approval of the Board, item No. 28 (13-0524) on June 25, 2013

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

ITEMS TO/FROM SUPERVISORS

Supervisor Mikulaco – June 12, 2013 is a Southeast Connector Joint Powers Authority meeting.

Supervisor Veerkamp – El Dorado County Fair starts Thursday, June 13, 2013 through Sunday, June 16, 2013.

Supervisor Santiago – Golden Sierra Job Agency Board met last week. Draft plan for workforce development is online; comments are due by June 20, 2013 Sierra Economic Development Corporation (SEDCORP) met last week on agriculture and next education topics for development of future workforces.

ADJOURNMENT

CLOSED SESSION

- 43. 13-0564 Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources and/or designee Jack Hughes of Liebert, Cassidy, Whitmore.
Employee Organization: El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 60 Min.)
No Action Reported.
- 44. 13-0366 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: City of South Lake Tahoe Claim RE: Property Tax Administrative Fees. Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported.
- 45. 13-0667 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Potential Federal and State Administrative action(s) and/or Litigation arising from charges filed against a Supervisor. (Est. Time: 30 Min.)
No Action Reported.
- 46. 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.
- 47. 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.

- 48. 12-1322** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Complaint of Employee re: Discrimination, Harassment and Hostile Work Place. Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported.

- 49. [12-0443](#)** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1): Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-0101520 x-ref: (Meyers Landfill Site). (Est. Time: 10 Min.)

No Action Reported.