



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, April 8, 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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<http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us.

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

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

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

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

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

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

Present: 3 - Supervisor Santiago, Supervisor Mikulaco and Supervisor Veerkamp

Absent: 2 - Supervisor Briggs and Supervisor Nutting

9:02 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

Absent: 1 - Supervisor Nutting

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

APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Adopt the Agenda and Approve Consent Calendar 1 and Consent Calendar 2 together with the following changes:
Move items 9 and 11 to the Consent Calendar.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

APPROVAL OF CONSENT CALENDAR 2 (Due to Supervisor Nutting's absence, the Board approved Consent Calendars 1 and 2 with one motion).

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.

[14-0547](#)

OPEN FORUM

Public Comment: H. Campbell, D. Cullen, K. Payne, T. Schulz, J. Harper, M. Smith, M. Lane, L. Parlin, S. Taylor

[14-0546](#)

CAO UPDATE

CONSENT CALENDAR

1. [14-0273](#) Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Agreement for Services No. 395-O1411 with Saba Holding Company, LLC dba Volvo Construction Equip & Services, in the amount of \$200,000 for a term of three years for short-term rental of equipment used to support operations.

FUNDING: Road Fund (No Federal Funds).
This matter was Approved on the Consent Calendar.

2. [14-0465](#) Community Development Agency, Transportation Division, recommending the Board adopt Resolution **031-2014** sanctioning the closure of White Rock Road in the El Dorado Hills area approximately 1,100 feet from El Dorado County line to Carson Crossing Road on Sunday, May 4, 2014, between 8:00 a.m. and 4:00 p.m., for the "2014 Scott Road Bike & Walk Event," subject to conditions set forth in Resolution No. 110-79 dated May 1, 1979.

Resolution 031-2014 was Adopted upon Approval of the Consent Calendar.

3. [14-0518](#) Human Resources Department recommending the Board approve the changes to the classification specification of County Counsel.

This matter was Approved on the Consent Calendar.

4. [14-0501](#) Supervisor Santiago recommending the Board approve Resolution **033-2014** acknowledging county roads and Highways 50 and 89 restrictions during the 23rd annual America's Most Beautiful Bike Ride around Lake Tahoe on Sunday, June 1, 2014.

Resolution 033-2014 was Adopted upon Approval of the Consent Calendar.

5. [14-0508](#) Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on April 1, 2014.

This matter was Approved on the Consent Calendar.

6. [14-0446](#) Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Approve in concept, Agreement for Services 456-S1411 with Summitview Child & Family Services, Inc. for the provision of Adult Residential Facility Services, for a term effective upon final execution by the parties thereto through June 30, 2019, with an estimated budget of \$4,190,642; and
 - 2) Authorize the Director of the Health and Human Services Agency to work with Summitview Child & Family Services, Inc. to move forward with securing an appropriate facility to operate Adult Residential Facility Services.
 - 3) Upon receipt of the Board's conceptual approval, direct the Health and Human Services Agency to return to the Board for their consideration of the final agreement.

FUNDING: Mental Health Services Act (State / Federal funding).

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 AM - TIME ALLOCATION

7. [14-0377](#) Supervisor Nutting recommending the Board consider the following:
- 1) Hear a presentation from James Phillip Marquez, Chair of the Festival of the American Pow Wow cultural event scheduled for October 4 through 5, 2014;
 - 2) Authorize a contribution in the amount of \$10,000 to provide financial support to the Festival; and
 - 3) Direct the Chief Administrative Office to work with Chairman Marquez to administer the contribution.

FUNDING: Transient Occupancy Tax.

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

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Absent: 1 - Nutting

Supervisor Nutting arrived at 10:51 AM

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

8. [14-0323](#)

In support of Marshall Medical Center's efforts to expand the availability of cancer treatment services to county residents, Supervisor Briggs recommending the Board:

- 1) Receive a presentation provided by Marshall Medical Center regarding the Marshall Cancer Center in Cameron Park, including the building renovation, construction, and equipment upgrades that will allow Marshall to consolidate and expand their cancer care specialties into one location at the Cameron Park facility; and,
- 2) Direct the Chief Administrative Officer to develop a grant funding agreement with Marshall Medical Center for \$800,000, to be included as part of the County's Fiscal Year 2014-15 Budget consideration and approval process, and that:
 - a) Is funded solely from the 10% of the annual Tobacco Settlement Funds as designated per Ordinance 4585 for health related expenditures, and,
 - b) The funds shall be specifically limited to the building renovation, construction, and/or the purchase of new equipment for the Marshall Cancer Center in Cameron Park.

Public Comment: K. Payne

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to Approve this matter. Motion Failed.

Yes: 2 - Briggs and Santiago

Noes: 2 - Mikulaco and Nutting

Recused: 1 - Veerkamp

A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco to Approve this matter with the following amendment to Action 2):

Direct the Chief Administrative Officer to develop a grant funding agreement with Marshall Medical Center for \$500,000 (as opposed to \$800,000), to be included as part of the County's Fiscal Year 2014-15 Budget consideration and approval process. Motion Failed.

Yes: 2 - Mikulaco and Nutting

Noes: 2 - Briggs and Santiago

Recused: 1 - Veerkamp

DEPARTMENT MATTERS

9. [14-0132](#) Chief Administrative Office, Facilities Division, recommending the Board consider the following:
1) Approve and authorize the Chair to sign the Purchase and Sale Agreement and Joint Escrow Instructions (PSA) No. 555-O1411 with the owners of Assessor's Parcel No. 101-330-77-100, commonly known as 5581 Gail Drive, Pollock Pines, for the purpose of acquiring and maintaining a public park; and
2) Authorize an escrow deposit of \$1.00.

FUNDING: Accumulated Capital Outlay Fund.

This matter was Approved on Consent Calendar 1.

10. [12-0733](#) Chief Administrative Office recommending the Board receive a report in regards to the Federal Coordination Advisory Committee and provide direction to staff on next steps.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Briggs to direct staff to establish the Federal Coordination Advisory Committee to act in an advisory role coordinating with legislative staff on specific issues.

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

11. [14-0211](#) Clerk of the Board recommending the Board consider the following appointments to the Charter Review Committee;
1) District I Member: Rachel Michelin Alternate: Wendy Mae Davis
2) District II Member: (in progress)
3) District III Member: Kris Payne Alternate: Noel Stack
4) District IV Member: (in progress)
5) District V Member: (in progress)

This matter was Approved on Consent Calendar 1.

2:00 PM - TIME ALLOCATION

12. [14-0245](#) Community Development Agency, Long Range Planning, recommending the Board approve the Scenario 3 growth forecast as the starting point for initiating the Major Five-Year Capital Improvement Program and Traffic Impact Mitigation Fee updates. (Cont. 3/25/14, Item 35)

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program. No Federal Funding.

Public Comment: D. VanDyke, K. Payne, S. Taylor

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

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

13. [14-0133](#) Chief Administrative Office and the Sheriff's Office recommending the Board consider the follow:
- 1) Authorize the Facilities Division to enter into negotiations with the owners of multiple parcels (6400 Runnymede Drive APN 32716050, 6400 Runnymede Drive APN 32716047, 3701 El Dorado Road APN 32711005, Address Unavailable APN 32522048, 3641 El Dorado Road APN 32522020, 3749 El Dorado Road APN 32710008, Address Unavailable APN 32924055, 6611 Merchandise Way APN 32939112, 6625 Merchandise Way APN 32939110, Address Unavailable APN 32939107) for the purchase of property for purposes of constructing a new Sheriff's Office Headquarters on the West Slope; and
 - 2) Appoint Russ Fackrell as the real estate negotiator on behalf of the County for the negotiation.

FUNDING: Accumulative Capital Outlay / Reserve for Capital Projects.

Public Comment: G. McGee, S. Taylor, E. Veerkamp

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

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

ITEMS TO/FROM SUPERVISORS

Supervisor Veerkamp attended several meetings including the Cemetery Commission meeting.

The Youth Commission will be wrapping up next month and a year end event is being planned.

Supervisor Veerkamp went on a tour of the Iowa Hill proposed project and he plans on having SMUD bring back an update to the Board of Supervisors. There will also be an Iowa Hill Joint Advisory Committee meeting in May.

Supervisor Santiago went on a study mission with the Lake Tahoe South Shore Chamber of Commerce to Park City, Utah. Park City was the site of the 2002 Winter Olympics. Park City has a downtown historic district, which includes an Olympic Park. Supervisor Santiago also went on a tour of the training center for the athletes, which included pictures of all the Olympians. A more detailed presentation of the findings will be presented to the Board of Supervisors. The discussion will include what Park City is doing to rebuild their infrastructure, keeping the historic character, economic development strategies they are implementing and how events are handled.

Supervisor Santiago attended the California Transportation Commission meeting which took place in Tahoe over a two day period. This is the first time this has happened. The focus of the meeting was to learn about the transportation needs of the basin. Many projects were discussed including bike trails, creating a sense of place and arrival for the Meyers Area Plan and other topics important to the basin. Supervisor Santiago explained that because the economy has changed in Tahoe, the infrastructure must also change in order to help create a destination resort feel to the area.

ADJOURNED AT 3:58 PM

CLOSED SESSION

- 14. [14-0520](#) **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: County Counsel. (Est. Time: 10 Min.)
No Action Reported. Supervisors Briggs, Mikulaco, Santiago and Veerkamp participated. Supervisor Nutting was absent.

- 15. [14-0524](#) **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Claim of Scott Hale (Heaven's Gate Bridge, Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported. Supervisors Briggs, Mikulaco and Santiago participated. Supervisor Nutting was absent and Supervisor Veerkamp recused himself.

16. [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 five (5) Supervisors participated.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or online) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)