



LATE DISTRIBUTION

DATE 8/9/16 ITEM 1

Jim Mitrisin <jim.mitrisin@edcgov.us>

FW: Measure E

1 message

David Defanti <david.defanti@edcgov.us>

Tue, Aug 9, 2016 at 8:33 AM

To: Jim Mitrisin <jim.mitrisin@edcgov.us>

Public comment on Measure E below. Please include in the record.

-Dave

—Original Message—

From: Steve Ferry [mailto:stephen.ferry@me.com]

Sent: Tuesday, August 09, 2016 8:00 AM

To: Dave Defanti

Subject: Measure E

I am away for a couple of days but want to weigh in on Measure E. Please pass this on to the Clerk of the Board as I do not have his email address. As a candidate for Supervisor District 1 in this years primary election I campaigned vigorously against Measure E. It was written poorly, very poorly. The proponents used the people's angst against Parker Development Co rather than defend the text of their measure. The proponents spoke by saying that whoever was a No on the Measure was a pawn of Parker rather than someone who understood their measure.

I understand that the county has been asked to rewrite the Measure to make it tenable. Remember, you are not the Supreme Court rewriting Obamacare and you certainly do not carry their authority.

Please let this measure pass through the courts as I believed would happen as I campaigned.

Thank You,

Stephen J Ferry

EDH

916-468-3300

Sent from my iPhone

#1



LATE DISTRIBUTION

EDC COB <edc.cob@edcgov.us>

Measure E

1 message

DATE 8/9/16
BUS 8/9/16

Karen Schiro <knschiro@sbcglobal.net>

Tue, Aug 9, 2016 at 10:49 AM

To: Supervisor Mikulaco <bosone@edcgov.us>, Supervisor Frentzen <bostwo@edcgov.us>, Supervisor Veerkamp <bosthree@edcgov.us>, Supervisor Novasel <bosfive@edcgov.us>, Supervisor Ranalli <bosfour@edcgov.us>, Clerk of the Board <edc.cob@edcgov.us>

Dear Supervisors,

The voters have made it clear that it is now the responsibility of the County to implement Measure E as it was intended.

Emails such as this to remind you should not really be necessary, but just in case there is any question, it is expected by the people of El Dorado County that Measure E will be supported by all of you.

Thank you,

Karen Schiro
2230 Ethel Drive
Rescue, CA

J. SWEENEY

PUBLIC COMMENT
ITEM 1
8/9/16

Measure E at Board of Supervisors

Testimony of James R. "Jack" Sweeney 8-9-16

As to page 12 & 13 of your staff report: You must NOT wipe out the Diamond Springs Parkway by eliminating the MC&FP funding for that project. That is exactly what the voters in this county voted for when 38,236 (59%) voted for Measure J on November 7, 2000!

You must not deprive the people of South County and Diamond Springs of an appropriate connection to highway 50 that will remove traffic from historic downtown Diamond springs.

They voted to use General Fund money to make traffic improvements!

Not a land use element - not negated by E

And another item: If measure E requires full improvement construction as a condition of a project; how then can you also charge an impact fee at building permit for those same mitigation improvements?

Measure J stated: "Shall the County be authorized to use that portion of its sales tax revenues generated by new development to pay for building road capacity improvements to offset impacts to traffic generated by non-residential development as allowed under Policy 3.2.2.5 of Measure Y, enacted by the voters on November 3, 1998?"

The funding stream was approved by the voters as Measure J at the November 7, 2000 election. The measure garnered 38,236 votes out of 65,008, 59%. Measure E would be an Ex Post Facto law in this case! And, it only received 31,406 votes, 52%.

8-9-16 Comment on Measure E Implementation
by Sue Taylor and Measure E Committee

We, the Measure E Committee, have appreciated meeting with County Counsel to work toward implementing Measure E as intended by the voters. However, we've come to realize that the citizens need outside counsel provided by the County for the proponents of Measure E. County Counsel's job is to protect the county, not to represent the citizens. At this time we are at an unfair disadvantage and the citizens deserve a level playing field.

The purpose of Measure E was to give our Board of Supervisors an avenue to say NO to projects that are not compatible with our General Plan – “A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief”.

Given the county's history of promising to mitigate tomorrow the impacts of today, the voters of El Dorado County passed Measure E - No more paper roads.

At this time we feel that it is necessary to make it clear how we see this measure being implemented:

Policy TC-Xa: 1 through 7 need to be inserted into the General Plan as modified in the initiative.

1. This reverts back to the original 1998 language of Measure Y, which stood for 10 years within our General Plan. The staff has stated that this may be an impact to the State required housing element. This has yet to be determined. We agree that no interpretation is necessary at this time. If it becomes an issue in the future, the County may be required to modify the Housing Element of the General Plan.

2. This policy is straightforward and should be implemented as written.

It needs to be noted that the statement, “Table TC-2 has never been amended by the voters or the Board” which has been repeatedly referred to by County and those in opposition to Measure E, is basically true, but misleading. The Table may have not been amended, but the Board has approved at least one documented project to move forward knowing that it would worsen LOS F, which should not have been allowed without either mitigating the road impact or voting to add the road segment to the table. Simply omitting the requirement does not give grounds to state that the Table has never been amended. Rather it should be stated that it has been ignored.

Also we are not sure why Staff feels that TC-Xa 2 would preclude the Board from considering removing a road improvement project from the TIM Fee project list if it is deemed unnecessary or unattainable due to less expectation of large subdivisions.

8-9-16 Comment on Measure E Implementation
by Sue Taylor and Measure E Committee

3. We agree with staff's recommendation that TC-Xf will satisfy the requirements of TC-Xa 3. We also agree that 'a project' refers to the project that is creating the cumulative traffic impact as described in policy TC-Xa 3.
4. The original 1998 Measure Y did not allow any tax revenues to be used to build road capacity improvements. The public did not realize that this included state and federal funds being used to improve freeway infrastructures. Measure E allows for state and federal funds, but not local funds, to be used on road capacity improvements for new development projects. This restores the original intent of Measure Y while giving the County the flexibility to use state and federal funds for state highways.
5. This policy is straightforward and should be implemented as written.
6. Geographic zone relates to the nexus of the impact generated from the project and how the fee should apply. The expectation from this policy would be that more money be allocated in the area in which the project occurs, based on percentages. At the present time, the County is spending nearly all fees in the geographic area of Highway 50 from El Dorado Hills to Placerville. Should a project in Meyers or Georgetown be required to have a majority of their fee go to other areas? Or, should their fees be reduced because they are not actually impacting those areas? We feel that the nexus has to be based on reality and more transparent.
7. This reverts back to the original 1998 language of Measure Y, which stood for 10 years within our General Plan. This basically is a reminder to the Supervisors that if a project violates the policies of Measure E, then they are duty-bound to deny the project.

TC-Xf. Requiring projects to completely fund new development is a policy that has been well established in the County prior to Measure Y being adopted.

For smaller projects that trigger LOS thresholds, they could wait until the County or another private party fully completes interchange improvement.

The 2013-2021 Housing Element is currently certified, the effect of Measure E will vary based on the location of the project, the traffic impacts generated from the project, as well as the ability of the project to complete necessary road improvements. The housing inventory has not been changed. The Board policy B-14 - TIM Fee Offset for Developments with Affordable Housing Units has not been changed.

The Measure E committee would be open to working with staff to explore revising the Design Control and Historic Overlays.

There are many other options that the County has implemented to comply with State law requirements.

8-9-16 Comment on Measure E Implementation
by Sue Taylor and Measure E Committee

IMPLEMENTATION STATEMENTS within Measure E

We disagree with Staff's conclusion that the Implementation Statements have no force or effect. The Implementation Statements were part of the initiative and the voters understood that they would be part of the measure and implemented as part of the General Plan. The Implementation Statements cannot be brushed aside because they are in section of the initiative versus another.

Implementation Statements 1-7:

We agree with Staff's conclusion that Implementation Statements 1-6 are consistent with the General Plan.

Implementation Statement 8:

We disagree with Staff's conclusion that Implementation Statement 8 is inconsistent with the General Plan. Both CalTrans and the County use the Highway Capacity Manual (HCM) to determine Level of Service (LOS), meaning they use the same methodology. Implementation Statement 8 does not change that methodology. It only requires that the County use the Highway 50 traffic data from CalTrans because CalTrans has live traffic counts from their highway sensors. It isn't optional to include the CalTrans data as part of the implementation. The voters knew that the Implementation language was part of the initiative when they signed petitions and then voted for Measure E. It is at the heart of the initiative, a clear mandate from the voters, and must be included. This is what people voted on and what they expected. The Measure E committee would like to work with staff to implement this policy as intended by the will of the people.

REQUESTS

Create a Citizen's Travel Demand Model Oversight Committee. This must be a group of residents to work with staff to validate and calibrate the TDM.

The citizens need outside counsel provided for the proponents of Measure E. County Counsel's job is to protect the county, not to represent the citizens. At this time we are at an unfair disadvantage and the citizens deserve a level playing field.