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Measure E Implementation, File #14-1054, Agenda Item #32

1 message

Jeannette Maynard <jeannette.maynard@yahoo.com>

Mon, Aug 29, 2016 at 4:08 PM

Reply-To: Jeannette Maynard <jeannette.maynard@yahoo.com>

To: Supervisor Mikulaco <bosone@edcgov.us>, EDC COB <edc.cob@edcgov.us>, Shiva Frentzen <bostwo@edcgov.us>, Supervisor Novasel <bosfive@edcgov.us>, Supervisor Veerkamp <bosthree@edcgov.us>, The BOSFOUR <bosfour@edcgov.us>

Dear Supervisors:

The people of El Dorado County have spoken. In June 2016 we voted to pass Measure E. It is now your duty to follow the will of the people and implement Measure E ... period.

Your personal feelings should NOT come into play.

The personal feelings of county staff should NOT come into play.

And, for goodness sakes, stop listening to the developers and so-called "real estate experts" who -- of course -- are opposed to Measure E. Those special interest groups are interested in one thing -- lining their pockets by selling thousands and thousands of rooftops ... period.

Don't let Measure E be diced and sliced to the point of demise.

If Measure E does not work out to be a good thing for the citizens of El Dorado County, we citizens can end it -- or revise it -- by going through the initiative/ballot process once again.

Thank you for your time and reading my letter.

Respectively,

Jeannette Maynard
Proud Supporter of Measure E
El Dorado County property owner



EDC COB <edc.cob@edcgov.us>

Measure E implementation (BOS agenda 8/30/16 item 32, file no. 14-1054)

1 message

Ellen Van Dyke <vandyke.5@sbcglobal.net>

Mon, Aug 29, 2016 at 4:27 PM

To: Brian Veerkamp <bosthree@edcgov.us>, Ron Mikulaco <bosone@edcgov.us>, Shiva Frentzen <bostwo@edcgov.us>, Sue Novasel <bosfive@edcgov.us>, Michael Ranalli <bosfour@edcgov.us>, Jim Mitrisin <edc.cob@edcgov.us>

Cc: Lori Parlin <loriparlin@sbcglobal.net>, sue-taylor@comcast.net

Dear Supervisors,

Neither the Board nor county counsel are able to proceed with the implementation or defense of Measure E in an unbiased manner- clearly there is a conflict of interest for the county. It is not unusual for the county to seek outside counsel, and this is a *most* appropriate situation in which to do so:

- El Dorado County stands to benefit financially from development that would likely be stopped if the measure is properly implemented (the Dixon Ranch Development Agreement represents just one example).
- Two sitting supervisors actively campaigned against the measure that they are now being asked to implement
- Measure E proponents have made clear that the use of Caltrans data is a key factor in the measure's implementation, and while the county's preference for their own TDM is irrelevant, it is making objectivity difficult for both staff and counsel.

Do NOT approve implementation guidelines under Resolution 149-2016 as 'complete' without including the requirement to utilize Caltrans data, as was approved by voters. And please support bringing in outside counsel to both facilitate and defend the measure.

Ellen Van Dyke

Rescue

#32

**LATE DISTRIBUTION**DATE 8/30/16

EDC COB <edc.cob@edcgov.us>

Please do not approve Resolution 149-2016

BOS 8/30/16

1 message

Jamie Beutler <beutlerjamie@gmail.com>
To: edc.cob@edcgov.us

Tue, Aug 30, 2016 at 9:00 AM

The following is a letter from Ellen Van Dyke. I am in complete agreement with the comments and requests she has made.

Thank you,

Jamie Beutler

Dear Supervisors,

Neither the Board nor county counsel are able to proceed with the implementation or defense of Measure E in an unbiased manner- clearly there is a conflict of interest for the county. It is not unusual for the county to seek outside counsel, and this is a most appropriate situation in which to do so:

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Ellen Van Dyke
Rescue

J. Sweeney #32 BOS 8/30/16

Item 32

Board of Supervisors

8-30-2016

Comments of James R. "Jack" Sweeney

Regarding Measure E

Although I am not happy with where we are, we must follow the rules!

We MUST ALL RECOGNIZE that upon the Certification of the June 7, 2016 election on July 19, 2016 Measure E became effective on July 29, 2016!

Some like it some do not like it; but Measure E has now amended the General Plan!

The proponents sold the voters on their measure as being a way to Stop certain big developments and to stop "paper roads". Some of us believe that the measure will actually stop small Mom and Pop projects.

If the effect of the measure is chaos, the fault will be with the proponents and the voters not with your Board! It is not up to you to amend the measure; but to implement it!

A critical part of the first line of the measure states "and shall remain in effect indefinitely unless amended by voter approval". The resolution proposed today would be a de-facto amendment without voter approval and therefore should not be adopted!

In the first 32 pages of the staff report of 8-9-16 (14-1054 4A), you are being told what is wrong with Measure E! If you review the staff document and compare with the proponent's statements, there are really only three issues that are not already accommodated by the General Plan. Those are TC-Xa 3, TC-Xf, and the desire to have CalTrans determine traffic levels of service for Highway 50.

We agree that you cannot and should not assign your responsibilities to Caltrans.

In the staff report, it is suggested that TC-Xa 3 can be fixed by TC-Xf although it also needs repair. So the Measure is internally conflicting. You are not allowed to fix a new meaning to such an approved initiative, only to implement the voter approved document.

Please, do not adopt the proposed resolution.

Attached is my analysis of the staff report.

1 of 2

What was/is Measure E??

I believe a short synopsis of the Staff Report of 8-9-16 (14-1054 # 4A) would get us to a better starting point!

According to the proponent's website and campaign materials and personal presentations, Measure E would accomplish two major issues: First, it would STOP certain projects already in the process pipeline; and Two it would end "paper Roads".

There are, in my opinion, three parts critical to the desires of the proponents and to those they convinced to support the measure:

First, is TC-Xa3

The County Staff Report (see legistar 14-1054 4A) discusses a "literal application of the language" on page 8 and "a different, but still literal, application of this language" on Page 9. And at mid Page 9, discusses the inconsistencies and conflicts with the General Plan that are caused by both of the above approaches. They then attempt to ameliorate the work of the proponents on TC-Xa3 by using TC-Xf as a "more specific policy".

Second, is TC-Xf

So the proposal above is not bad, BUT the County Staff also discusses **how to fix** TC-Xf at Page 18 and end that discussion on Page 22. It takes five (5) pages to fix one paragraph that was voted on by the voters!

Now, TC-Xf requires construction rather than TIM fees; and worse, the improvements must be for the existing, the project, and ten (10) year growth! So this change fails on its face as it violates the Constitutional requirement of NEXUS! In spite of this failure, the County Staff continues its amelioration of the measure by suggesting a series of get arounds and interpretations. And, remember, five pages of considerations for making it work!

By the way, the Staff Report calls TC-Xf "the most significant changes required by Measure E". But it still, with changes, fixes TC-Xa3??? Or is this an ask for a lawsuit?

Third, is have CalTrans determine Level of Service! Implementation Statement 8 Page 25

This one is easy, even for the staff; the County cannot pass its authority to the State Agency!

Just say NO!

The rest of the items in Measure E are just non-compos-mentis!

Please, do not justify Measure E by implementing the staff proposed get arounds.

And, the MCFP is in place as a result of the action of the voters on Measure J of November 7, 2000 and it WAS NOT spoken to in any way and was not rescinded by Measure E MCFP remains valid!

D. Van Dyke #32 BOS 8/30/14

Measure E Traffic Methodology

Rural Communities United

August 30, 2016

1 of 6







Continuing Problem Last 4 years at least

- County DOT traffic evaluation doesn't match conditions on the ground
- Commuters in our county routinely experience Level of Service F on Highway 50 near the county line
- Caltrans documents and data show routine Level of Service F on this segment
- County DOT just showed slides claiming Level of Service C and D

County claims this

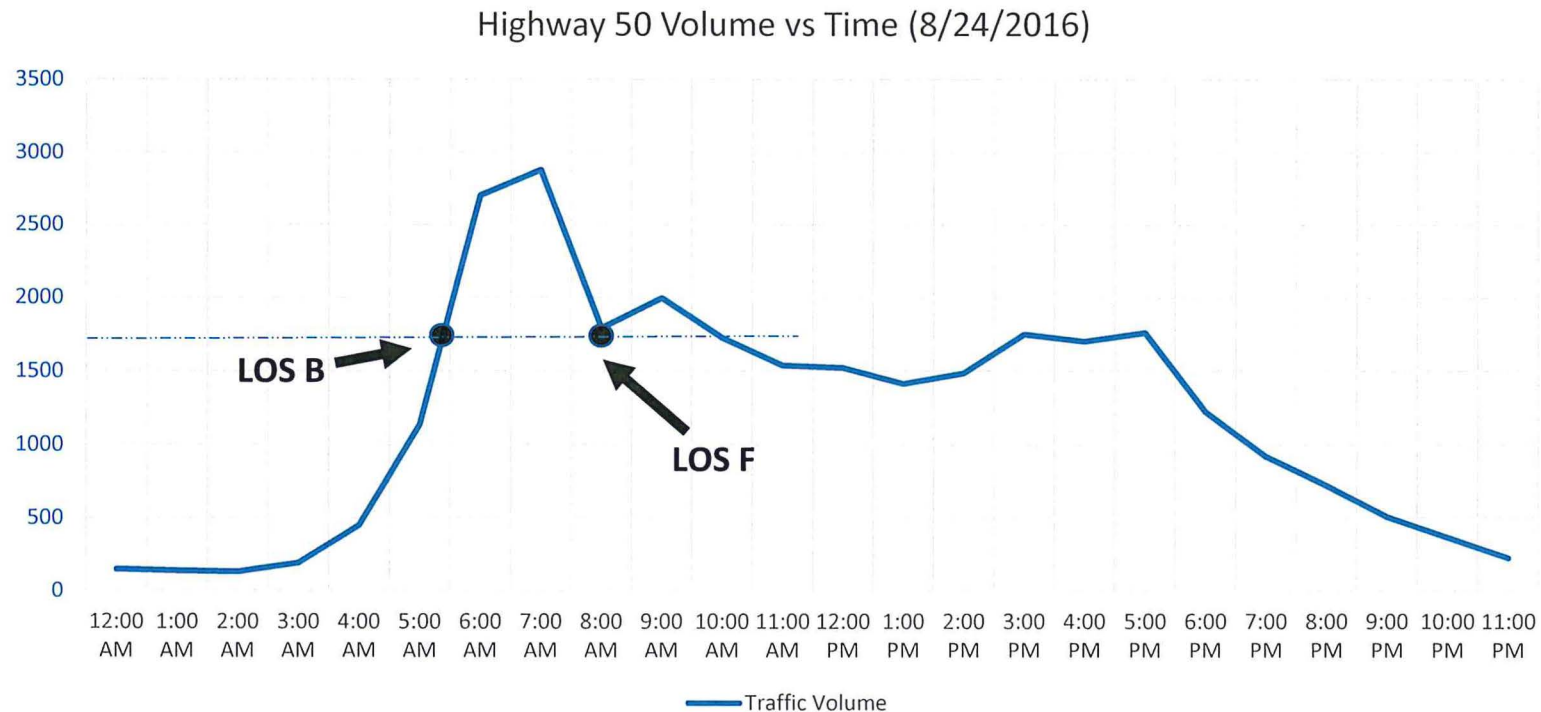
Caltrans says this

Residents experience this

Level of Service	Flow Conditions
A	
B	
C	
D	
E	
F	

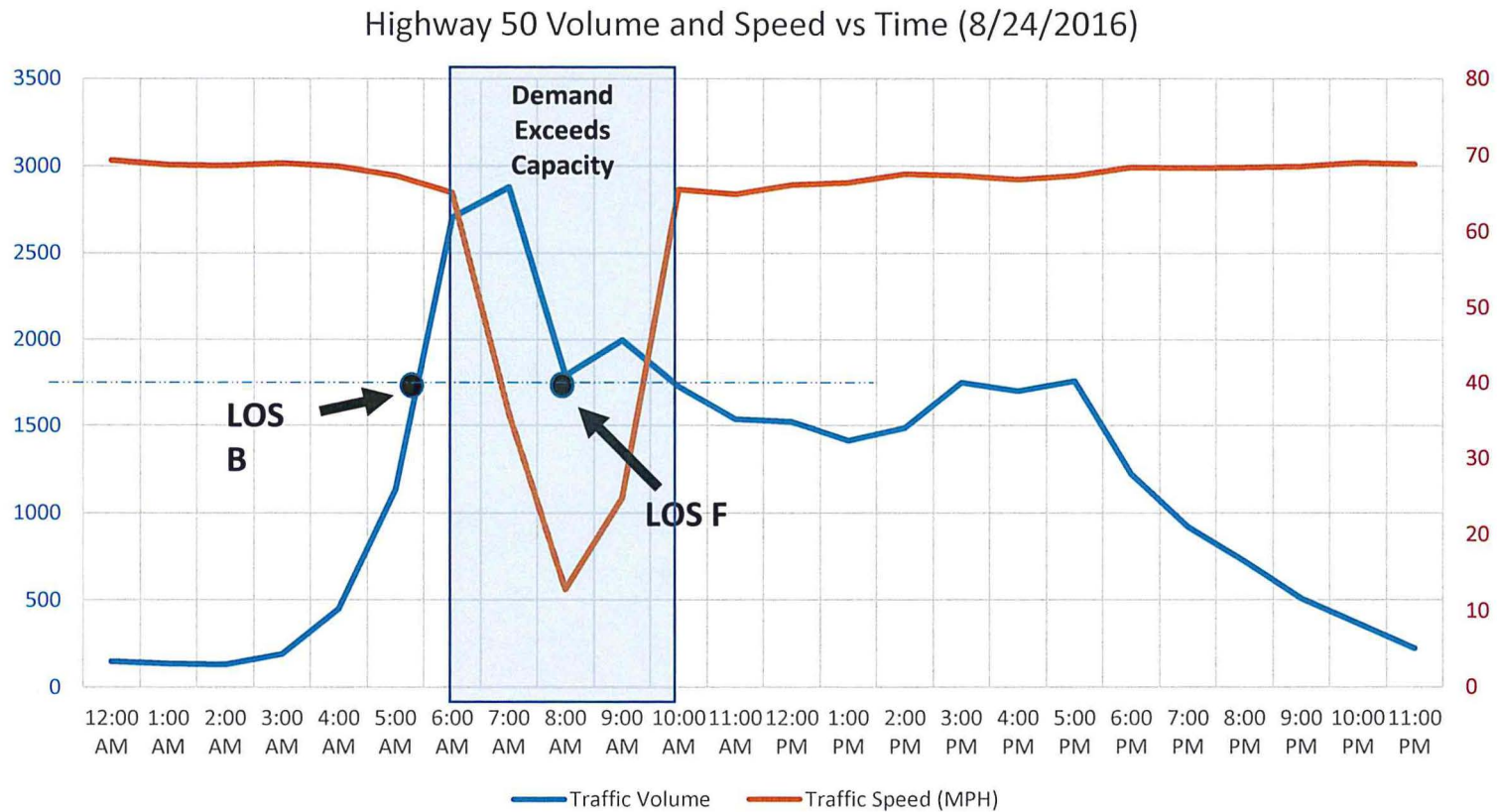
2 of 6

Graph of Highway 50 Volume Last Wed (8/24)




How can these two points have such different Level of Service, even with the same volume (1700 Cars per hour)?

Road Capacity Makes a Difference!



Once the volume of cars reaches the capacity of the freeway, everything slows down dramatically (blue area)

Must Use the Correct Methodology!



HCS 2010

Basic Freeway Segments

Limitations

- Special lanes and lane control
 - HOV lanes, truck lanes, climbing lanes and lane changing restrictions
- Free-flow speed (FFS) below 55 mph and above 75 mph
- Influence from downstream queues
- Posted speed limit and enforcement
- Impacts of Intelligent Transportation Systems (ITS)
- Operations in construction zones, near toll plazas and extended bridge/tunnel segments
- **Oversaturated conditions**

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HCM States this methodology will not work on freeway segments where demand exceeds capacity

5 of 6

We Must Resolve These Differences

- Major problems with how the County is using Caltrans Data with HCS
- Many additional issues with TDM remain
- Once again, we request a working relationship with DOT engineers
 - Yesterday, Mr. Pedretti said “Not going to happen”
 - We need an atmosphere of cooperation
 - Maybe both sides will learn something

These Inconsistencies must be resolved before Measure E can be considered “Implemented”

6 of 6

J. Hidalgo #32 BOS 8/30/16

Freeway LOS

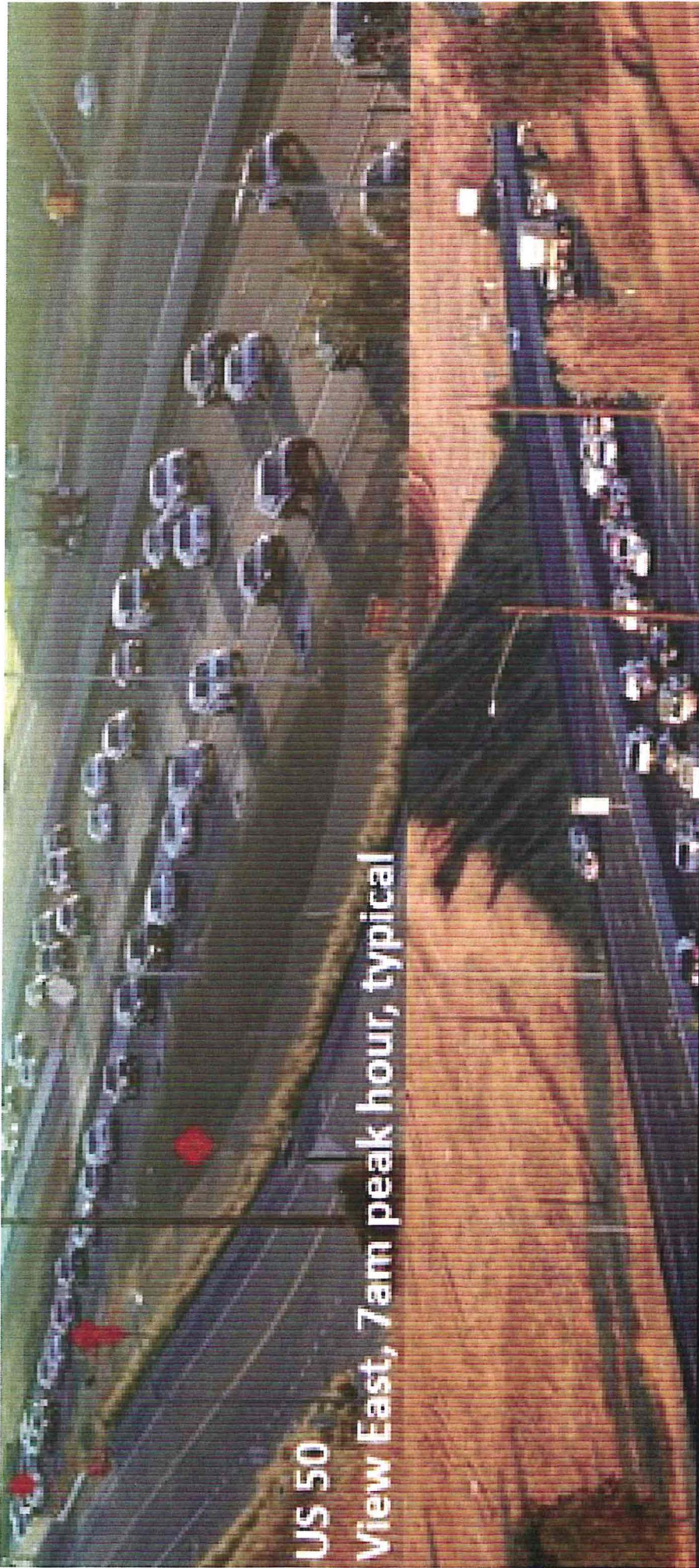
Criteria	LOS				
	A	B	C	D	E
FFS = 75 mi/h					
Maximum density (pc/mi/ln)	11	18	26	35	45
Minimum speed (mi/h)	75.0	74.8	70.6	62.2	53.3
Maximum v/c	0.34	0.56	0.76	0.90	1.00
Maximum service flow rate (pc/h/ln)	820	1350	1830	2170	2400
FFS = 70 mi/h					
Maximum density (pc/mi/ln)	11	18	26	35	45
Minimum speed (mi/h)	70.0	70.0	68.2	61.5	53.3
Maximum v/c	0.32	0.53	0.74	0.90	1.00
Maximum service flow rate (pc/h/ln)	770	1260	1770	2150	2400
FFS = 65 mi/h					
Maximum density (pc/mi/ln)	11	18	26	35	45
Minimum speed (mi/h)	65.0	65.0	64.6	59.7	52.2
Maximum v/c	0.30	0.50	0.71	0.89	1.00
Maximum service flow rate (pc/h/ln)	710	1170	1680	2090	2350
FFS = 60 mi/h					
Maximum density (pc/mi/ln)	11	18	26	35	45
Minimum speed (mi/h)	60.0	60.0	60.0	57.6	51.1
Maximum v/c	0.29	0.47	0.68	0.88	1.00
Maximum service flow rate (pc/h/ln)	660	1080	1560	2020	2300
FFS = 55 mi/h					
Maximum density (pc/mi/ln)	11	18	26	35	45
Minimum speed (mi/h)	55.0	55.0	55.0	54.7	50.0
Maximum v/c	0.27	0.44	0.64	0.85	1.00
Maximum service flow rate (pc/h/ln)	600	990	1430	1910	2250

LOS Criteria for Basic Freeway Segments

Note:

The exact mathematical relationship between density and v/c has not always been maintained at LOS boundaries because of the use of rounded values. Density is the primary determinant of LOS. The speed criterion is the speed at maximum density for a given LOS.

1 of 2



US 50
View East, 7am peak hour, typical

Highway 50 Traffic