



County of El Dorado

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Minutes

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. Mitrison, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel

Tuesday, April 2, 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.

8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:08 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Dave Cooke from the Cold Springs Community Church provided the Invocation.

Supervisor Mikulaco led the Pledge of Allegiance.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp, to adopt the Agenda and approve the Consent Calendar with the following changes: Items 11, 13 and 14 were pulled from the Consent Calendar and acted upon separately.

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

13-0008

OPEN FORUM

M. Williams RE: San Stino Project
K. Newell RE: San Stino Project
N. Rowett RE: Traffic Study for Green Valley Corridor
T. Roffe: RE: Federal Coordination Issues
L. Kozar RE: Buckeye Ranchero Project
K. Payne RE: Training for volunteers for chainsaw use
S. Taylor RE: Community Region Lines

13-0010

CAO UPDATE

None.

CONSENT CALENDAR

1. 13-0007 Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, March 25, 2013 and the Regular Meeting of Tuesday, March 26, 2013.
This matter was Approved on the consent calendar.

2. 11-0995 Clerk of the Board of Supervisors recommending the Board approve perpetual Agreement No. 303-S1110 with Municipal Code Corporation for on-going codification services related to the County ordinance code.
FUNDING: General Fund.
This matter was Approved on the consent calendar.

3. 13-0257 Chief Administrative Office recommending the Board waive Building Permit fees in an amount up to \$5,000 for Bloo Solar on APN 117-085-13.
This matter was Approved on the consent calendar.

4. 13-0277 Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.
This matter was Approved on the consent calendar.

5. [13-0217](#) Chief Administrative Office, Procurement and Contracts on behalf of the Community Development Agency, Department of Transportation, recommending the Board approve the following:
- 1) Award RFP No. 13-918-037 for the preparation of a Project Study Report to improve the Mt. Murphy Road Bridge, crossing the South Fork of the American River in the town of Coloma (County CIP No. 77129, Bridge No. 25C0004) to CH2MHill of Sacramento, CA; and
 - 2) Authorize the Community Development Agency Director to negotiate and execute a contract for the project in the estimated amount of \$550,000. (Cont'd 3/19/2013, Item 3)

(Staff is requesting this matter be continued to April 23, 2013 to allow time to finalize negotiations on the scope of work and contract terms.)

FUNDING: Federal Highway Administration Local Assistance Highway Bridge Program.

This matter was continued to Tuesday, April 23, 2013 upon approval of the consent calendar.

6. [11-1400](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment I to Agreement 204-S1211 acknowledging Womenspace Unlimited, South Lake Tahoe Women's Center's name change to Live Violence Free, Inc., effective July 1, 2012. There is no change to the term ending June 30, 2014 or to the Not-to-Exceed amount of said Agreement.
 - 2) Receive and file the annual Domestic Violence Shelter Based Program Annual Certification Reports in accordance with Welfare and Institutions Code 18293 (h) and Domestic Violence Support Services Reports from Live Violence Free, Inc., and The Center for Violence-Free Relationships, Inc., in accordance with Welfare and Institutions Code §18300 for fiscal years 2009-10, 2010-11, and 2011-12.

FUNDING: County marriage license revenue (\$23 per license) in accordance with Welfare and Institutions Code § 18293 (d) plus a portion of payments made by persons granted probation for crimes against victims of domestic violence.

This matter was Approved on the consent calendar.

7. [13-0294](#) Health and Human Services Agency, Public Health Division, recommending the Board approve payment of invoices from:
- 1) Grace Foundation of Northern California in the amount of \$18,355 for services rendered in the care and boarding of livestock impounded or seized during the period of January 2011 through May 2011; and
 - 2) Canines on Main in the amount of \$340 for emergency care and grooming services rendered for dogs seized in a neglect/cruelty case.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

8. [13-0297](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Approve in concept, that the Chronic Disease Prevention Coalition, a project of Health and Human Services Agency, Public Health Division, become a participant (mentee) in a two-year Drug-Free Communities Mentoring Program with El Dorado Hills Community Vision Coalition, Inc. acting as the Program's mentor;
 - 2) Authorize the Director to sign a Letter of Support for El Dorado Hills Community Vision Coalition, Inc., to apply for a Drug-Free Communities Mentoring Program Grant through the Office of National Drug Control Policy;
 - 3) Approve El Dorado Hills Community Vision Coalition, Inc.'s submittal of an application for a two-year Drug-Free Communities Mentoring Program Grant to mentor the Health and Human Services Chronic Disease Prevention Coalition; and
 - 4) Authorize the Health and Human Services Agency Director to execute any further documents required for El Dorado Hills Community Vision Coalition, Inc.'s application for said mentoring services, contingent upon review and approval by County Counsel and Risk Management, as applicable.

This matter was Approved on the consent calendar.

9. [13-0138](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 001-S1310 with JDT Consultants for the provision of Therapeutic Behavioral Services to children and youth under the age of 21 with serious emotional challenges, extending the term through June 30, 2014, and increasing the not-to-exceed amount of the Agreement to \$250,000 with no change to the Scope of Services.

FUNDING: State Medi-Cal Funds.

This matter was Approved on the consent calendar.

10. [13-0354](#) Supervisors Briggs and Mikulaco recommending the Board authorize the Chairman to sign a letter in support of SB 296 (Correa), proposing to provide increased local assistance for County Veterans Services Officers.
- This matter was Approved on the consent calendar.**
11. [13-0352](#) Supervisor Briggs recommending the Board approve a Certificate of Commendation to honor Joe Akin of Boy Scout Troop 88, acknowledging the hard work and commitment necessary to attain the rank of Eagle Scout.
- No formal action taken; however, Joe Akin was presented with the Certificate of Commendation by Chairman Briggs.**
12. [13-0274](#) Supervisor Santiago recommending the Board adopt Resolution **027-2013** to consolidate the South Tahoe Public Utility District Board of Directors elections to general even-year elections pursuant to California Elections Code 10404, subdivision (j). (Cont'd 3/26/13, Item 17)
- Resolution 027-2013 was adopted upon approval of the consent calendar.**
13. [13-0340](#) Supervisor Santiago recommending the Board approve the appointment of Harold Singer to the Tahoe Resource Conservation District Board of Directors.
- A motion was made by Supervisor Santiago, seconded by Supervisor Nutting, to continue this matter one (1) week to Tuesday, April 9, 2013.**
- Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting
14. [08-1463](#) Supervisor Santiago recommending the Board adopt Resolution **032-2013** authorizing the Director of Transportation, or the Chief Administrative Officer, to sign on behalf of the County of El Dorado all necessary documents required to submit grant applications.
- A motion was made by Supervisor Santiago, seconded by Supervisor Veerkamp, to continue this matter three (3) weeks to Tuesday, April 23, 2013.**
15. [13-0350](#) Supervisor Santiago recommending the Board adopt Resolution **033-2013** authorizing El Dorado County Community Development Agency, Transportation Division, to pursue the Community-Based Transportation Planning Grant from the California Transportation Department for the Meyers Sustainable Mobility Plan Project.
- Resolution 033-2013 was adopted upon approval of the consent calendar.**

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

16. [11-0329](#) Supervisor Briggs recommending the Board:
1) Receive a presentation provided by William E. Schultz, County of El Dorado Recorder-Clerk, Registrar of Voters and Veterans Affairs Director, regarding autism and autism spectrum disorders; and,
2) Adopt a Proclamation designating April 2, 2013, as "Autism Recognition Day" and the month of April 2013 as "Autism Recognition Month" in the County of El Dorado. (Est. Time: 15 Min.)
- A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco, to adopt the Proclamation.**
- Yes:** 5 - Briggs, Santiago, Mikulaco, Veerkamp and Nutting
17. [13-0335](#) Supervisor Briggs recommending the Board receive a presentation provided by the Health and Human Services Agency on the County's Family Caregiver Support Program and the Senior Information and Assistance Program. (Est. Time: 15 Min.)
- No Formal Action Required.**

DEPARTMENT MATTERS

- 18. [12-0965](#) Chief Administrative Office requesting Board direction regarding a Property Assessed Clean Energy (PACE) program in conjunction with Ygrene Energy Fund. (Refer 8/28/12, Item 30) (Est. Time: 30 Min.)
PUBLIC COMMENT

*P. Chelseth
S. Taylor
K. Payne
J. Homme*

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, to send this matter back to the Bond Steering Committee for further examination, and direct staff to report back to the Board with a recommendation on the Property Assessed Clean Energy (PACE) Program by May 14, 2013.

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

- 19. [12-0474](#) Supervisor Nutting recommending the Board authorize the Chair to sign a comment letter on the proposed four alternatives to the Draft Supplemental Environmental Impact Statement (DSEIS), for the Public Wheeled Motorized Travel Management, for the Eldorado National Forest.

PUBLIC COMMENT

J. Arnes

A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco, to approve the comment letter as amended this date.

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

20. [13-0331](#) Supervisor Nutting recommending the Board have a discussion and take action on the required public notice sent to all owners of real property within 500' of a new planning development project or a zoning change.

PUBLIC COMMENT

*K. Payne
L. Parlin
K. Newell
S. Taylor
M. Williams
P. Chelseth
W. Nagle
J. Grotkin*

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, as follows:

- 1) Direct staff to create a "Public Notice" section on the County website to post public notices, and provide an email subscription for the public to receive public notices via email; and
- 2) Direct staff to report back to the Board on June 11, 2013 with protocols, thresholds, proposed signage changes and other recommendations for better notification to property owners of upcoming projects.

Noting: Supervisors Nutting and Veerkamp to report back to the Board in three (3) weeks with a draft letter to better educate property owners on possible projects that may be proposed for their area.

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

21. [13-0333](#) Chief Administrative Office recommending the Board have a discussion of County representation at the 2013 Capitol to Capitol (Cap to Cap) conference in Washington D. C., and appropriations of funding.

FUNDING: General Fund.

PUBLIC COMMENT

*S. Taylor
K. Payne*

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp, as follows:

- 1) Authorize Supervisor Norma Santiago to attend the Capitol to Capitol conference in Washington D.C. with funding for the conference to be taken out of the Clerk of the Board's budget; and
- 2) Direct staff to bring back an agenda item for the purposes of discussing the District budgets and Board of Supervisors' Policy D-5.

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

13-0011**ITEMS TO/FROM SUPERVISORS**

Supervisor Veerkamp reported that the Youth Commission would be doing their Shadow day with the Board of Supervisors on either April 9, 2013 or April 30, 2013. He also reported that he attended the Sacramento Area Council on Government (SACOG) and discussion was had regarding Rural Urban Connection.

Supervisor Santiago reported that she attended the California State Association of Counties (CSAC) meeting and discussion was had regarding the implementation of the Affordable Healthcare Act.

Supervisor Nutting reported that he attended the Regional Council of Rural Counties and had discussions regarding the State Responsibility (SRA) Fees.

ADJOURNMENT

CLOSED SESSION**See Addendum on Item No. 23.**

22. 13-0347 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
23. 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: 15 Min.)
This matter was continued to Tuesday, April 9, 2013.
24. 13-0357 **Pursuant to Government Code Section 54956.9(a) - Existing Litigation.** Title: Claim of Todd Hall v. County of El Dorado, York Risk Services Group, Inc., Claim No. ELAA-545722. (Est. Time: 10 Min.)
No Action Reported.
25. 13-0104 **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources and/or designee.
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: 20 Min.) (Cont'd 4/2/13, Item 25)
This matter was continued to Tuesday, April 9, 2013.

ADDENDUM**CONSENT CALENDAR**

26. [13-0362](#) Chief Administrative Officer recommending the Board adopt Resolution **034-2013**, amending Resolution 127-2011 to correct an inaccurate statement regarding the base hourly pay rate for District Attorney Vern Pierson, who is also performing the duties of the County Chief Technology Officer.

Resolution 034-2013 was adopted upon approval of the consent calendar.

27. [13-0293](#) Chief Administrative Office, Procurement and Contracts on behalf of Information Technologies Department, Sheriff's Department, Environmental Management Department and the Health and Human Services Agency recommending the Board approve the following:
- 1) Award Bid No. 13-204-055 for the purchase of Servers to the low qualified bidders, DSA Technologies, Inc. of Elk Grove, CA; EDC Systems of Lafayette, CA and CCT Technologies, Inc. of San Jose, CA;
 - 2) Authorize the Purchasing Agent to issue multiple purchase orders in the total amount of \$122,723.23 to DSA Technologies, Inc in the amount of \$73,916.23, to CCT Technologies in the amount of \$33,707 and to EDC Systems in the amount of \$15,100 plus applicable sales tax for a 12 month award period following Board approval; and
 - 3) Authorize the Purchasing Agent to issue additional purchase orders on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: General Fund and Non General Fund.

This matter was Approved on the consent calendar.

CLOSED SESSION

28. 13-0321 **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Health and Human Services Director. (Est. Time: 15 Min.)

The Board received the resignation of Daniel Nielson, Health and Human Services Agency Director, effective April 19, 2013.
29. 13-0364 **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Public Defender. (Est. Time: 15 Min.)

On a unanimous vote, the Board appointed Teri Monterosso as Public Defender at Step 2 of the salary range, effective May 20, 2013.
30. 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.
31. 13-0258 **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 768 Pleasant Valley Road. The person or persons with whom the negotiator may negotiate are Steven M. Abel and Laura B. Abel or designated agent. Instructions to negotiator will concern price and term of payment. Russ Fackrell and Scott Kingston will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)

No Action Reported.
32. 13-0235 **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as 670 Placerville Drive. The person or persons with whom the negotiator may negotiate are Stan Paolini and James B. McGuire of Golden Plaza I, LLC. Instructions to negotiator will concern price and term of payment. Russ Fackrell and Scott Kingston will be the negotiators on behalf of El Dorado County.(Est. Time: 15 Min.)

No Action Reported.

23. 12-0443

Correction: This matter will not be heard on Tuesday, April 2, 2013, it will be heard in Closed Session on Tuesday, April 9, 2013.

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: 15 Min.)

This matter was continued to Tuesday, April 9, 2013.