



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

Tuesday, February 5, 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

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

Absent: 1 - Supervisor Nutting

9:07 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

The invocation was given by Pastor Randy Ehle
The Pledge of Allegiance was led by Supervisor Santiago

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment:
S. Taylor

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.

Approval of the Consent Calendar

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago to adopt the Agenda and approve the Consent Calendar with the following changes: Items 3 and 7 were pulled and acted upon separately.

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

13-0008

OPEN FORUM

No Public Comment

13-0010

CAO UPDATE

The Chief Administrative Officer highlighted the upcoming sessions with the Board in the afternoon of February 12, 2013 for a "Governance" Workshop, a special staff level workshop on February 19, 2013 on Investment Teams and a budget workshop on February 25, 2013.

CONSENT CALENDAR

- 1. 13-0007 Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, January 28, 2013 and the Regular Meeting of Tuesday, January 29, 2013.

This matter was Approved on the consent calendar.

- 2. 11-1401 Chief Administrative Office, on behalf of the Human Resources Action Team, recommending the Board:
 - 1) Approve the 2013 Sessions of the Supervisory Training Academy course (Spring and Fall); and
 - 2) Authorize associated expenditures estimated at \$6,600 for all eight modules, including costs relating to materials, lunch and refreshments, and reimbursement for mileage for training attendees.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

3. [12-0076](#) Development Services recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment No. 1 to Funding Agreement No.006D-F-11/12-BOS between the County of El Dorado and Dixon Ranch Partners, LLC for preparation of an Environmental Impact Report for the proposed Dixon Ranch Subdivision;
 - 2) Authorize the Chair to sign Amendment No. 1 to the Agreement for Services No. 003D-A-11/12-BOS between the County of El Dorado and LSA Associates for the preparation of an Environmental Impact Report for the proposed Dixon Ranch residential development; and
 - 3) Authorize the Chair to sign a budget transfer to appropriate revenue and expenditures associated with the Agreement. (4/5 vote required)

FUNDING: Applicant Funding Agreement

Public Comment:

S. Taylor

J. Sweeney

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs to approve this matter. Supervisor Mikulaco identified a financial conflict of interest under the Political Reform Act regarding the proximity of his residence to this project. Therefore he recused himself and was not present in the Board chambers during the hearing of this item.

Yes: 4 - Briggs, Santiago, Veerkamp and Nutting

Recused: 1 - Mikulaco

4. [11-0058](#) District Attorney recommending the Board authorize the continuation of perpetual agreements with the following:
- 1) Accurint;
 - 2) Lexipol, Agreement 640-S0911;
 - 3) Department of Justice, Agreement 01-098-01; and
 - 4) Constellation Justice Systems, Agreement 317-S0111.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

5. [13-0037](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 025-S1310 with Tahoe Turning Point, Inc., increasing the not-to-exceed amount to \$110,000 with no change to the term ending June 30, 2013 for drug and alcohol treatment services.

FUNDING: Assembly Bill 109, Negotiated Net Amount Agreement, and Realignment 2011.

This matter was Approved on the consent calendar.

6. [11-1191](#) Sheriff's Office recommending the Board authorize the Chair to sign the following:
- 1) Amendment II to Agreement for Services No. 107-S1010 with National Medical Services Inc. for as-needed selected forensic analysis and toxicology services for the Sheriff's Coroner Division, increasing the not-to-exceed amount by \$25,000, from \$99,500 to \$124,500, allowing the Sheriff's Office to pay invoices for services retroactive from June 1, 2012 through October 31, 2012, as well as amend the Non-Resident Withholding and Notice to Parties and Administrator provisions; and
 - 2) Retroactive Agreement for Services No. 277-S1311 with National Medical Services Inc. for as-needed selected forensic analysis and toxicology services in the amount of \$85,000 for the term November 1, 2012 through October 31, 2014.

FUNDING: Sheriff's Fiscal Year 2012/13 Budget.

This matter was Approved on the consent calendar.

7. [13-0083](#) Sheriff and Auditor-Controller recommending the Board adopt Resolution **010-2013** authorizing the California Department of Motor Vehicles (DMV) to suspend the collection of a \$1 per vehicle registration fee on El Dorado County residents until further notice.

FUNDING: Special Revenue Fund.

Public Comment:
J. Copeland

A motion was made by Supervisor Nutting, seconded by Supervisor Mikulaco to approve Resolution 010-2013.

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

8. [13-0040](#) Surveyor's Office recommending the Board adopt Resolution **007-2013** of Vacation for Abandonment of Easement (AOE) No. 2012-011 to abandon a portion of the drainage easement on Lot 58 of "The Summit - Unit No. 1," recorded at Book G of Subdivisions at Page 91, identified as Assessor's Parcel Number (APN) 110-171-09, requested by Jason E. Lamb and Sabrina E. Lamb.

Resolution 007-2013 was Approved upon adoption of the consent calendar.

9. [13-0062](#) Surveyor's Office recommending the Board adopt Resolution **008-2013** of Vacation for Abandonment of Easement (AOE) No. 2012-012 to abandon a 20' public utility easement (PUE) on Lot 33 of "Southpointe," recorded at Book H of Subdivisions at Page 14, identified as Assessor's Parcel Number (APN) 110-604-06, requested Kevin M. Nagle, owner.
- Resolution 008-2013 was Approved upon adoption of the consent calendar.**
10. [12-0916](#) Transportation recommending the Board approve the Intergovernmental Grant Administration Agreement between the County of El Dorado and the South Lake Tahoe Public Utility District to receive and accept \$186,816 of Grant Funds under the California Department of Water Resources Proposition 84 Watershed Program, which was awarded for the Montgomery Estates Area 2 Erosion Control Project (CIP No. 95170).
- FUNDING:** California Department of Water Resources Proposition 84 Watershed Program.
- This matter was Approved on the consent calendar.**
11. [12-0505](#) Transportation recommending the Board consider the following:
- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County ordinance code that it is more economical and feasible to engage an independent contractor for environmental review services; and
 - 2) Rescind the original version of Agreement for Services No. 127-S1311 approved by the Board on September 25, 2012, Item No. 24, as the original agreement was not released to the vendor pending completion of the Pre-Award Audit; and
 - 3) Authorize the Chair to sign revised Agreement for Services No. 127-S1311 with Environmental Stewardship and Planning, Inc. in the not-to-exceed amount of \$145,000 for a term to become effective upon execution by both parties and expiring two years thereafter or upon completion of all issued Task Orders or Work Orders, whichever is later.
- FUNDING:** Various Capital Improvement Program (CIP) funding sources that fund the Department's CIP projects.
- This matter was Approved on the consent calendar.**
12. [12-1086](#) Supervisors Briggs and Veerkamp recommending the Board appoint Supervisor Briggs as the County of El Dorado's Alternate to the Iowa Hill Joint Advisory Committee (IHJAC).
- This matter was Approved on the consent calendar with Board direction to remove the reference to "Co-Chair" from the title of this item.**

13. [13-0091](#) Supervisor Santiago recommending the Board authorize the Chair to sign Resolution **009-2013** acknowledging the use of Highways 89 and 50 at Lake Tahoe for the 9th Annual Reno-Tahoe Odyssey Relay Run Adventure, May 31, 2013 and June 1, 2013 between the hours of 8:00 p.m. and 3:00 a.m.

Resolution 009-2013 was Approved upon adoption of the consent calendar.

14. [13-0097](#) Supervisor Santiago, on behalf of The Center for Violence Free Relationships, requesting the Board authorize the Chair to sign a Certification of Local Approval for Emergency Shelter, Transitional Housing, Homelessness Prevention and Rapid Re-Housing grant funding that acknowledges operations within the unincorporated area of El Dorado County.

Funding: Grant Funds

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

- 15. [10-0123](#) HEARING to consider the following:
 - 1) Approve the introduction (First Reading) of Ordinance **4992**, the County of El Dorado Stormwater Quality Ordinance, an addition to Chapter 8.79 of Title 8 of the County of El Dorado Code of Ordinances pertaining to Health and Safety;
 - 2) Waive reading of the full ordinance and read by title only; and
 - 3) Recommending this Ordinance be considered for final passage (Second Reading) by the Board of Supervisors on February 12, 2013. (Refer Item No. 56, 12/18/12) (Est Time: 1 Hr.)

FUNDING: General Fund and Public Utility Franchise Fees.

Public Comment:
V. Zentner
S. Taylor

A motion was made by Supervisor Veerkamp, seconded by Supervisor Santiago to approve this matter to include the text revision indicated below and continue this matter to February 12, 2013 for consideration of final passage of Ordinance 4992.

Citing proposed Ordinance 4992 section 8.79.030 Findings, the Board directed the following modification to the last sentence of this section:

Change from:
The Board of Supervisors further finds that any violation of this Ordinance constitutes a human and environmental health risk.

Change to:
The Board of Supervisors further finds that violation of this Ordinance may constitute a human and environmental health risk.

Attachment 2B (Revised)-Tahoe Basin Stormwater Ordinance reflects these text revisions.

Yes: 4 - Briggs, Santiago, Veerkamp and Nutting

Noes: 1 - Mikulaco

10:00 AM- TIME ALLOCATION

- 16. [12-0837](#) Chief Administrative Office recommending the Board receive a presentation on the Legal Nonconforming chapter of the Draft Zoning Ordinance; and provide direction regarding the same. (Refer Item No. 40, 12/4/12) (Est. Time: 1.5 Hr.)

FUNDING: General Fund.

No formal action taken. The Board provided direction to staff as outlined on Attachment 10A, page 17 "Next Steps."

2:00 PM - TIME ALLOCATION

17. [13-0082](#) Transportation recommending the Board receive information on the proposed 2013 Capital Improvement Program (CIP) and Transportation Work Plan; and provide direction regarding the same. (Est. Time: 1 Hr.)

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago to approve Option A in concept pending a Budget discussion and a modification to the Pavement Management portion to reflect the \$60,000 funding is for Fiscal Year 2013/2014 only and not ongoing (reference attachment H). The Board also provided direction to staff as reflected in revised attachment O - (Revised) Motions-Board Direction.

13-0011

ITEMS TO/FROM SUPERVISORS

Supervisor Nutting reported that at recent Corridor JPA meeting, a topic of discussion included disbanding the JPA. He will be bringing an item to the Board for the JPA Executive Director to present additional information.

Supervisor Santiago reported that she attended a Town Hall Community Workshop on Monday, February 28, 2013 in Pollock Pines on the topic of community planning.

13-0069

The Board of Supervisors Meeting was adjourned in memory of Loretta Chandler.

ADJOURNMENT

CLOSED SESSION

- 18. 13-0100 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 30 Min.) (Refer Item 18, 2/5/13)

This item was continued to February 12, 2013.

- 19. 13-0101 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation,** Title: Health and Human Services Agency Director. (Est. Time: 30 Min.)

No Action Reported.