



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
www.edcgov.us/bos

## 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, February 12, 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.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: <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](mailto: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.

**8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

**9:06 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

Pastor Craig Klatt from the Camino Adventist Church provided the Invocation. Supervisor Nutting led the Pledge of Allegiance to the Flag.

**ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR**

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 change: Item Number 6 was pulled from the consent calendar and acted upon separately.

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

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.

**13-0008** OPEN FORUM

L. Brent-Bumb RE: Fab 50 Magazine.  
S. Taylor RE: Capital Improvement Plan (CIP) questions.

**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 Regular Meeting of Tuesday, February 5, 2013.

**This matter was Approved on the consent calendar.**

2. [13-0113](#) Auditor-Controller recommending the Board authorize the Auditor-Controller to disburse excess proceeds from a Sale of Tax Defaulted Property for the following Assessor's Parcel Numbers (APN) based on section 4675 of the Revenue and Taxation Code:
- 1) APN 051-210-10-100 Dennis F. Wall, sold for \$8,921.33 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 2) APN 500-173-35-100 Rodney L. Donaldson, sold for \$2,907.73 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 3) APN 500-136-16-100 Randall Eichert, sold for \$1,290.10 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 4) APN 500-140-35-100 Lawanda Elaine Kurbis, sold for \$2,103.20 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 5) APN 500-126-72-100 Fred and Barbara Brackett, sold for \$362.37 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 6) APN 500-151-63-100 Thomas S. Kambara, sold for \$2,735.84 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 7) APN 087-060-06-100 SRK Redemptions Associates LLC, sold for \$1,777.39 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 8) APN 's 046-132-34-100 and 046-132-35-100 Larry R. and Carolyn A. Upton, sold for \$513.61 and \$23.61 more than the amount required to satisfy delinquent taxes and costs of the sale.
  - 9) APN 500-171-41-100 Franchise Tax Board, sold for \$526.08 more than the amount required to satisfy delinquent taxes and costs of the sale.

**This matter was Approved on the consent calendar.**

3. [12-1233](#) Chief Administrative Office, Procurement and Contracts Division on behalf of the Information Technologies Department, recommending the Board authorize the Purchasing Agent to extend Blanket Purchase Order No. BP20130229 for computers, monitors, and related items to EDC Systems of Lafayette, CA for one (1) additional four (4) month and twelve (12) day period, through June 30, 2013.

**This matter was Approved on the consent calendar.**

- 4. [13-0001](#) Clerk of the Board of Supervisors recommending the Board make appointments to various Advisory and County appointed committees and commissions for 2013:

**Diamond Springs El Dorado Community Advisory Committee**

Reappoint Kathleen McCoy, Member, New Termination date January 1, 2017

**Fair Association Board of Directors**

Appoint Christopher Whitaker, Director, District 1, New Termination date January 1, 2017

Reappoint Rod Avery, Director, District 2, New Termination date January 1, 2017

Reappoint Michael B. Denton, Director, District 3, New Termination date January 1, 2017

**Parks and Recreation Commission**

Appoint John Hidahl, Member, District 1, New Termination date January 1, 2017

**Assessment Appeals Board**

Appoint Steve Ferry, Member, District 1, New Termination date September 1, 2016

**Local Disaster Council**

Appoint Dion Nugent, Member, District 1, New Termination date January 1, 2017

**This matter was Approved on the consent calendar.**

- 5. [13-0099](#) Clerk of the Board of Supervisors recommending the Board receive and file the Board of Supervisors district expenditures summary report covering July 1, 2012 to January 28, 2013.

**This matter was Approved on the consent calendar.**

6. [13-0074](#) Transportation recommending the Board adopt Resolution **014-2013** adjusting the 2010 Caltrans Census Designated Urban Boundaries to correspond with the furthest boundary line established by either the General Plan Community Region Boundary or the 2010 Census Urban Boundary for transportation funding purposes.

*PUBLIC COMMENT*

*K. Newell  
P. Chelseth  
S. Taylor*

**A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, to adopt Resolution 014-2013 with additional wording added to said resolution in the last paragraph as follows: "This approval is for transportation funding purposes only, and not intended for any other purpose, and it specifically does not change or influence any General Plan land use boundaries." (Refer to Attachment A - (Revised) Resolution 2-12-13)**

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

7. [10-0123](#) Transportation recommending the Board approve the final passage (Second 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. (Cont'd 2/5/13, Item 15)

**FUNDING:** General Fund and Public Utility Franchise Fees.

**Ordinance 4992 was adopted upon approval of the consent calendar.**

8. [12-1016](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Flyers Energy, LLC, A California Limited Liability Company, for Assessor's Parcel Number 071-080-07; and
  - 2) Authorize the Interim Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Northside School Class I Bike Path - Phase 1 (SR193) Project, Capital Improvement Project (CIP) No. 72304.

**FUNDING:** Federal Safe Routes to School Grant Funds and Regional Surface Transportation Program Rural Exchange Funds.

**This matter was Approved on the consent calendar.**

9. [12-1386](#) Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Richard E. Fieseler and Kristine Fieseler, Trustees of the Fieseler Family Trust, Dated April 6, 2010, for Assessor's Parcel Number 071-390-09; and
  - 2) Authorize the Interim Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Northside School Class I Bike Path - Phase 2 (SR49) Project, Capital Improvement Project (CIP) No. 72306.

**FUNDING:** State Safe Routes to School Grant Funds, Regional Surface Transportation Program Rural Exchange Funds and Transportation Development Act Funds from the El Dorado County Transportation Commission.

**This matter was Approved on the consent calendar.**

10. [13-0072](#) El Dorado County Fair Board of Directors inviting the Board of Supervisors to attend an informal luncheon and presentation on Tuesday, February 26, 2013 at 12:00 noon at the El Dorado County Fairgrounds.

**This matter was Approved on the consent calendar.**

11. [10-0755](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Ratify submission of the California Department of Public Health Tobacco Control Program Funding Allocation Application in the amount of \$150,000 for Fiscal Year 2013-14 that was submitted on January 11, 2013; and
  - 2) Adopt Resolution **011-2013** authorizing the Director of Health Services to sign all necessary applications and financial documents; contracts, agreements, amendments, subject to review and approval by County Counsel, for the purposes of securing Tobacco Control Program funds (total estimated amount for Fiscal Years 2013-17 is \$600,000) to implement and maintain the Tobacco Use Prevention Program for the period commencing with Fiscal Year 2013-14 through and including Fiscal Year 2016-17.

**FUNDING:** California Tobacco Control Program.

**Resolution 011-2013 was adopted upon approval of the consent calendar.**

12. [12-0155](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **012-2013** authorizing the Chair to sign Amendment 2 to Agreement 12B-5807 with the California Department of Community Services and Development, increasing the maximum agreement amount by \$50,000, from \$1,085,461 to \$1,135,461, for the provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine counties during the term of January 1, 2012 through June 30, 2013.

**FUNDING:** Federal Grant Funding.

**Resolution 012-2013 was adopted upon approval of the consent calendar.**

13. [12-0669](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **013-2013** authorizing the Chair to sign Amendment 1 to Agreement AP-1213-29 with the California Department of Aging, increasing the maximum agreement amount by \$35,767, from \$905,031 to \$940,798, for the provision of Title III/VII senior services during the term July 1, 2012 through June 30, 2013.

**FUNDING:** Federal/State Grant Funding

**Resolution 013-2013 was adopted upon approval of the consent calendar.**

14. [13-0070](#) Library recommending the Board consider the following:  
1) Acceptance of funding totaling \$2,200 from NorthNet Library System for the cost of registration and travel for library staff members to attend the California Association for the Education of Young Children conference in March 2013; and  
2) Authorize the Chair to sign a budget transfer increasing revenues and appropriations by \$2,220 as a result of the acceptance of this funding. (4/5 Vote)

**FUNDING:** NorthNet Library System Funds.

**This matter was Approved on the consent calendar.**

15. [11-0314](#) Supervisor Briggs recommending the Board consider the following:  
1) Ratify the Chairman's signature on the 2013 California State Fair, Counties Exhibits Entry Form designating the El Dorado County Chamber of Commerce as the official representative for the County's exhibit to the Fair; and  
2) Authorize that any award money for this exhibit, paid by the California Exposition and State Fair, will be paid to the El Dorado County Chamber of Commerce.

**This matter was Approved on the consent calendar.**



- 16. [13-0115](#) Supervisor Santiago recommending the Board approve the appointment of Robert Sweatt as the District V Representative on the Veteran Affairs Commission for a term to expire January 1, 2015.  
This matter was Approved on the consent calendar.

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

- 17. [13-0119](#) Chief Administrative Office recommending the Board adopt Resolution **015-2013** authorizing the Director of Transportation or successor to order the temporary closure of any county highway in the Crystal Basin area of El Dorado County, including but not limited to Ice House Road and Wentworth Springs Road, when conditions exists that warrant such closure. The necessity for a specific closure, the appropriate location of the closure, and the duration of the closure shall be determined by the Director of Transportation, or successor, based upon the condition of the subject road and surrounding roads and the actual or expected weather conditions. (Est. Time: 30 Min.)

*PUBLIC COMMENT*

- J. Copeland*
- K. Shawnbeck*
- R. Platt*
- S. Taylor*
- K. Newell*
- J. Arnes*

**A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to adopt Resolution 015-2013 with additional wording added to said resolution in the last paragraph as follows: "Now, therefore, be it resolved.....Ice House Road and Wentworth Springs Road within the vicinity of the Rubicon Trail when conditions exist that warrant such closure to comply with the Clean-up and Abatement Order R5-2009-0030 as issued by the State of California Water Quality Control Board Central Valley Region and to be in conformance with the easement granted by the United States Forest Service for the Rubicon Trail (Doc. No. 08/14/2012, 20120040283). The necessity ..... or expected weather conditions. The Director of Transportation will provide a road condition report describing any closure activity under this Resolution to the Board of Supervisors within 1-year of initial adoption." (Refer to Attachment B - (Revised) Resolution)**

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

**10:00 AM - TIME ALLOCATION**

- 18. [13-0114](#) Supervisor Santiago recommending the Board receive a Strategic Plan presentation by South Tahoe Public Utility District General Manager, Richard Solbrig, and Public Information Officer, Dennis Cocking. (Est. Time: 45 Min.)  
  
Received and Filed.

**11:00 AM - TIME ALLOCATION**

- 19. [13-0130](#) Supervisor Briggs recommending Board receive a presentation provided by the Health and Human Services Agency on the "Elder Protection Network" of services provided by the County of El Dorado. (Est. Time: 15 Min.)  
  
*PUBLIC COMMENT*  
  
*D. MacLemore*  
  
Received and Filed.

**2:00 PM - TIME ALLOCATION**

- 20. [13-0127](#) Chief Administrative Office recommending the Board receive a presentation on the following:
  - 1) Overview of the County Organization
  - 2) The Ralph M. Brown Act
  - 3) Overview of the Board agenda process
  - 4) The Board's role on JPA's
  - 5) The role of the Board as an employer (Est. Time: 2 Hrs.)  
*PUBLIC COMMENT*  
  
*K. Newell*  
*S. Taylor*  
  
**No formal action taken, noting staff was given direction to propose the creation of a Governance Committee at the Strategic Investment Plan Workshop on February 19, 2013.**

13-0011

## ITEMS TO/FROM SUPERVISORS

Supervisor Santiago reported that a lawsuit was filed yesterday by the Local Sierra Club against the Lake Tahoe Regional Plan Update approved by the Tahoe Regional Planning Agency Board (TRPA) in December. She will keep the Board of Supervisors apprised on the issues pertaining to the lawsuit as they occur.

Supervisor Veerkamp thanked the Chief Administrative Officer for providing the Governance process this afternoon. He thanked fellow Board Members for their interaction as well.

Supervisor Nutting reported that he and former Supervisor Jack Sweeney attended the Sustainable Forest Action Coalition Meeting to discuss coordination issues and common issues relating to other counties.

Supervisor Mikulaco reported that he attended a meeting with the Southeast Connector Joint Powers Authority (JPA) and it went very well. He also reported that the JPA will have an item on their agenda next month regarding the funding mechanism vote of the member agencies.

Supervisor Briggs reported that he has sent a letter to the Department of Transportation regarding the historical importance of keeping the Mt. Murphy Bridge intact in District IV.

**ADJOURNED AT 5:40 P.M.**

**CLOSED SESSION**

21. 13-0102 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: LAFCO Agency CalPERS Matter. (Est. Time: 15 Min.)  
**No Action Reported.**
22. 13-0103 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as follows:
- 1) APN 329-280-09 and 16; Patricia Harrington, An Unmarried Woman and Michael Quigley, An Unmarried Man As Tenants in Common. The person or persons with whom the negotiator may negotiate are Patricia Harrington and Michael Quigley.
  - 2) APN 329-280-12 and 13; Tower Energy Group, A California Corporation. The person or persons with whom the negotiator may negotiate is Mark Vasey, OPS Manager on behalf of Tower Energy Group, A California Corporation.
  - 3) APN 329-280-15; David G. Quigley and Sherry Quigley, Husband and Wife, As Joint Tenants. The person or persons with whom the negotiator may negotiate are David G. Quigley and Sherry Quigley.
  - 4) APN 331-310-08 and 09; Lake Oaks Mobile Home Community Inc., A California Corporation. The person or persons with whom the negotiator may negotiate is Larry Patterson on behalf of Lake Oaks Mobile Home Community Inc., A California Corporation.
  - 5) APN 331-331.27; Lloyd Earl Elliott Jr. and Irene Elliott, Trustees of the Elliott Revocable Trust Dated October 21, 2009. The person or persons with whom the negotiator may negotiate are Lloyd Earl Elliott Jr. and Irene Elliott.
- Instructions to negotiator will concern price and term of payment. Julie Duchscherer will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)  
**No Action Reported.**
23. 13-0133 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation Appointment**. Title: Interim Public Defender (Est. Time: 20 Min.)  
**No Action Reported.**

24. 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 matter was continued to Tuesday, February 26, 2013.**
25. 11-0017 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Nicole Sahaj-Myers, et al. v. County of El Dorado, et al., U.S. District Court, Eastern District of California, Case No. 2:10-CV-01974-KJM (Est. Time: 10 Min.)  
**No Action Reported.**