



County of El Dorado

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Minutes - Final Board of Supervisors

*Norma Santiago, Chair, District V
Vacant, District II*

*Brian K. Veerkamp, First Vice Chair, District III
Ron Mikulaco, Second Vice Chair, District I
Ron Briggs, District IV*

*James S. Mitrisin, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer
Edward Knapp, County Counsel*

Tuesday, March 4, 2014

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

9:01 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

Pastor Dave Cooke of the Cold Springs Community Church gave the Invocation.
Supervisor Nutting led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

APPROVAL OF CONSENT CALENDAR 1

Public Comment: V. Zentner, S. Taylor, B. Schultz

A motion was made by Supervisor Nutting and seconded by Supervisor Veerkamp to Adopt the Agenda and Approve Consent Calendar 1 with the following changes:

Approve of the corrected language for item 1.

Pull items 5 and 8.

Continue item 6 to March 11, 2014.

Item 9 requires a 4/5 vote.

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

APPROVAL OF CONSENT CALENDAR 2

Public Comment: K. Payne

A motion was made by Supervisor Veerkamp, seconded by Supervisor Mikulaco to Approve Consent Calendar 2 with no changes.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

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.

OPEN FORUM

Public Comment: J. Fuller, K. Payne, C. Salmen, S. Taylor

[14-0376](#)

CAO UPDATE

CONSENT CALENDAR 1

1. [13-0915](#)

Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following pertaining to Job Order Contracting:

- 1) Adopt the bid, specifications and contract documents;
- 2) Approve and authorize the Chair to sign the bid documents; and
- 3) Authorize advertisement for construction bids (Bid No. 14-968-047).

FUNDING: ACO Funds.

This matter was Approved on Consent Calendar 1 to include the following clerical correction to the "Background" Section of the file text:

"It is the intent to award contracts with two (2) bidders for a not-to-exceed amount of \$2,000,000 to each bidder."

2. [12-0383](#)

Chief Administrative Office recommending the Board approve and authorize the Chair to sign retroactive Amendment V to Agreement No.125-S1210 with Madeira Group International for pre-employment background investigations for candidates for employment with the Sheriff's Office and Probation Department to set compensation rates for expedited service, effective September 1, 2013. (Refer 10/16/12, Item 22)

FUNDING: General Fund.

This matter was Approved on Consent Calendar 1.

3. [14-0233](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
- 1) Dispense with the formal bidding procedures in accordance with Purchasing Ordinance 3.12.160, Section D;
 - 2) Authorize the Purchasing Agent to utilize the State of California's competitively bid Contract No. 7-11-51-02 to the awarded vendor, WW Grainger of West Sacramento, CA, for the acquisition of facilities maintenance supplies, lighting products, industrial supplies, and tools for use by various County departments; and
 - 3) Authorize the Purchasing Agent to sign BP20120488 in the amount of \$120,000, and to increase the BP through the remainder of the awarded term ending on February 28, 2014, or through any extended term, as long as funding is available within the requesting department's budget.

FUNDING: Various.

This matter was Approved on Consent Calendar 1.

4. [13-0641](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign a comment letter to be sent to the U.S. Fish and Wildlife Service, Division of Policy and Directives Management on the Economic Analysis of Critical Habitat Designation For Three Sierra Nevada Amphibians.

This matter was Approved on Consent Calendar 1.

5. **14-0108** Chief Administrative Office, Parks Division, recommending the Board consider the following:
- 1) Receive the 2013 Annual Report on the Rubicon Trail;
 - 2) Receive an annual report on road closures in 2013 (Refer 2/12/13, Item 17, File 13-0119); and
 - 3) Receive and approve an update on the Soup Bowl segment of the Rubicon Trail (Refer 1/26/2010, Item 25, File 10-0049)

Staff is recommending this item be continued off calendar.

A motion was made by Supervisor Nutting, seconded by Supervisor Veerkamp to Continue this matter to April 1, 2014.

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

6. [12-1203](#) Community Development Agency, Long Range Planning, recommending the Board consider the following:
- 1) Make findings pursuant to Section 3.13.03 of the County Ordinance that it is more economical and feasible to engage an independent contractor to prepare policy analysis and an Environmental Impact Report for a General Plan Amendment to amend several General Plan polices related to biological resources; and
 - 2) Approve and authorize the Chair to sign Agreement 425-S1411 with Dudek in the amount of \$377,100 for a term of three years to proceed with a program to amend several General Plan related to biological resources.

FUNDING: General Fund (No Federal Funding).

This matter was Continued to March 11, 2014 upon Approval of Consent Calendar 1.

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

7. [14-0214](#) Community Development Agency, Development Services Division, recommending the Board adopt Resolution **017-2014** of Intention to amend the General Plan policies relating to airport safety to implement the Airport Land Use Compatibility Plans for the Cameron Park, Georgetown, and Placerville Airports which were adopted by the El Dorado County Airport Land Use Commission on June 28, 2012.

Resolution 017-2014 was Adopted upon Approval of Consent Calendar 1.

8. [12-0046](#) Chief Administrative Office recommending the Board consider the following:
- 1) Terminate the lease at 3050 Lake Tahoe Boulevard with the City of South Lake Tahoe; and
 - 2) Move the South Lake Tahoe Wellness Center at 3050 Lake Tahoe Boulevard to a temporary facility at 1360 Johnson Boulevard; and
 - 3) Continue to negotiate the Memorandum of Understanding with the City of South Lake Tahoe regarding the use and upkeep of the facility at 3050 Lake Tahoe Boulevard.

FUNDING: Mental Health Services Act funding (state funding).

Public Comment: B. Schultz, K Payne

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to Approve this matter.

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

9. [14-0260](#) Health and Human Services Agency, Community Services Division, recommending the Board consider the following:
- 1) Accept a gift of funds in the amount of \$225,000 from the Ruth Sherrard Revocable Trust of 2012;
 - 2) Designate the use of funds to support Senior Legal Services within the Health and Human Services Agency; and
 - 3) Approve and authorize the Chair to sign a Budget Transfer to increase Aging Programs revenue and appropriations by \$225,000.
- FUNDING:** Ruth Sherrard Revocable Trust of 2012.
- This matter was Approved on Consent Calendar 1. This item required a 4/5 vote.**
10. [07-1075](#) Health and Human Services Agency recommending the Board consider the following:
- 1) Receive and file Legislative Counsel's Digest regarding Senate Bill No. 191, Chapter 600, Amended August 22, 2013, extending the operative date of California Government Code 76000.5 until January 1, 2017; and
 - 2) Adopt Resolution **016-2014** regarding the distribution of those funds identified in Resolution 192-2007 as the 15 percent of Emergency Medical Services Agency funding, after administrative costs, to be used for pediatric trauma and emergency services in the County.
- FUNDING:** Fines, penalties, or forfeitures collected by the courts for applicable criminal offenses.
- Resolution 016-2014 was Adopted upon Approval of Consent Calendar 1.**
11. [14-0342](#) Supervisor Santiago requesting the Board approve ratification of the Chair's signature on a Proclamation honoring Pierre Rivas, Principal Planner, and his 23 years of public service with the County of El Dorado, presented at the February 25, 2014, Board of Supervisor's public meeting.
- This matter was Approved on Consent Calendar 1.**
12. [14-0343](#) Supervisor Santiago requesting the Board consider the following:
- 1) Authorize the Chair's signature on Letter of Support for Assembly Bill 2703 allocating expanded assistance to reach thousands of underserved veterans and their dependents; and,
 - 2) Send Letter of Support to California State Senators Leno and Roth and Assemblymembers Skinner and Daly, representing Senate and Assembly Budget Committees.
- This matter was Approved on Consent Calendar 1.**

CONSENT CALENDAR 2 (Supervisor Nutting did not participate)

13. [14-0348](#) Clerk of the Board recommending the Board approve the Minutes for the special meeting of the Board of Supervisors on February 24, 2014 and the regular meeting of the Board of Supervisors on February 25, 2014.

This matter was Approved on Consent Calendar 2.

14. [13-0934](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Acting Community Development Agency Director, or successor, to sign and submit two originals of Reimbursable Agreement No. DTFH68-14-E-00049 with the Federal Highway Administration, Central Federal Lands Highway Division in the amount of \$4,742,100 for the Ice House Road Rehabilitation Project. The Federal grant portion is 88.53 percent which is \$4,198,180 and the County's matching local portion is 11.47 percent which is \$543,920. These funds will cover Preliminary Engineering, Construction, and Construction Management costs; and
 - 2) Authorize the Acting Community Development Agency Director, or successor, to amend Reimbursable Agreement No. DTFH68-14-E-00049 for all minor modifications as necessary throughout the term of the agreement.

FUNDING: Sacramento Municipal Utility District fund No. 7702317 and Federal Highway Administration Federal Lands Access Program (Federal Funds).

This matter was Approved on Consent Calendar 2.

15. [14-0216](#)

Health and Human Services Agency, Social Services Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Amendment I to Agreement for Services 223-S1410 with A Balanced Life: Individual, Child and Family Therapy, Inc., to increase the maximum contractual obligation from \$62,196 to \$325,000 for the continued provision of therapeutic counseling and related services on an "as requested" basis during the term ending November 5, 2016; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 233-S1410, including amendments thereto and contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

FUNDING: Funded with a blend Federal and State funds (85%) with County share of cost or required match (15%) met with realignment funds.

This matter was Approved on Consent Calendar 2.

16. [14-0332](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Approve draft Provider Participation Agreement 526-F1011 with California Department of Health Care Services, contingent upon approval by County Counsel and Risk Management, for a retroactive term beginning January 30, 2010, and remaining in effect until terminated by one of the parties thereto or upon termination of the Ground Emergency Medical Transportation Program;
 - 2) Approve draft Agreement 496-O1411 with Sacramento Metropolitan Fire District, serving as fiscal intermediary for California Department of Health Care Services, contingent upon approval by County Counsel and Risk Management, for a retroactive term beginning July 1, 2011 through June 30, 2014, for reimbursement of administration costs;
 - 3) Authorize the Chief Administrative Officer to execute further documents relating to the above noted Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the maximum dollar amount or the term; and
 - 4) Ratify the signature of the Health and Human Services Agency Director on previously submitted Cost Reports for years 2010 through 2013, and authorize the Director of the Health and Human Services Agency, Assistant Director of Administration and Finance, or the Chief Fiscal Officer, to execute programmatic and fiscal documentation in support of said program, as needed.

FUNDING: Federal and State Funding and Fee for Service.

This matter was Approved on Consent Calendar 2.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION**17. [14-0336](#)**

Supervisor Briggs recommending the Board receive a presentation provided by Katy Parr, Forest Archaeologist, U.S. Forest Service, Eldorado National Forest, that provides an overview of:

- 1) The process to nominate historic and archaeological resources for inclusion in the National Register of Historic Places; and
- 2) The U.S. Forest Service's study, "National Register of Historic Places Evaluation for the Rubicon Trail, Eldorado National Forest, El Dorado County, California" that concluded that the Rubicon Trail is eligible for inclusion in the National Register of Historic Places.

Supervisor Briggs further recommends the Board discuss partnering with interested organizations, user groups and agencies, including the U.S. Forest Service to initiate the process to nominate the Rubicon Trail for inclusion in the National Register of Historic Places. (Est. Time: 30 Min.)

Public Comment: J. Sweeney, F. McGuire, K. Payne, B. Sweeney, L. Brent-Bumb, W. Nagel, N. Delenoff, S. Taylor, L. Crabtree, M. Scott, J. Arnz, J. Rifner

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and provide the following direction to CAO staff:

- 1) Interact with all property owners of the Rubicon Trail and others who may be affected; and
- 2) Report back to the Board of Supervisors with a progress report in 90 days (June 2014).

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

11:00 A.M. - TIME ALLOCATION**18. [13-0401](#)**

Chief Administrative Office and Human Resources recommending the Board receive additional information from the Human Resources Director regarding Respectful Workplace Policy and provide direction to staff regarding next steps of the interactive Cultural Assessment. (Cont. 2/25/14, Item 30)

Public Comment: J. Copeland, M. Lane

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter.

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

19. [13-0447](#) Chief Administrative Office and Human Resources recommending the Board adopt Resolution **015-2014** revising the County of El Dorado Personnel Rules, to revise and clarify language and to add Part 111, Respectful Workplace; Appendix A, Employee Expectation Standards; and Appendix B, El Dorado County Department Head Expectations. (Cont. 2/25/14, Item 31)

Public Comment: M. Lane, J. Copeland

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco to;
1) Adopt Resolution 015-2014; and
2) Approve the correction to Section 111 as noted on the attachment titled:
"Clerical Correction to Section 111-BOS 3-4-14".

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

DEPARTMENT MATTERS

20. [13-1218](#) Community Development Agency, Long Range Planning, providing the Board with a Long Range Planning update including the Land Use Policy Programmatic Update (LUPPU).

Public Comment: K. Payne, S. Taylor

Received and Filed. Supervisor Mikulaco recused himself.

2:00 P.M. - TIME ALLOCATION

21. [14-0285](#) Community Development Agency, Development Services Division, forwarding a request from Tim Regehr for a Conceptual Review of a public campground/multi-use resort including motorcycle tracks and trails, amplified music concerts, a lodge, general store, and off-site signs [Pre-Application PA13-0015/Sopiago Springs Resort] on property identified by Assessor's Parcel Numbers 040-090-59 and 040-090-60, consisting of 150 acres, in the South County area. This item is for discussion purposes only. (Supervisorial District 2)

Public Comment: C. Griffins, J. Miles, K. Payne, L. Brown, S. Taylor, V. Zentner, W. Nagel

Received and Filed.

ITEMS TO/FROM SUPERVISORS

Supervisor Veerkamp attended the monthly meeting of the general board of the Sacramento Area Council of Governments (SACOG). The two main topics discussed were the drought and the performance review of the Executive Director. Immediately after the SACOG meeting, he attended the Shared Services meeting of the various counties participating in SACOG. Supervisor Veerkamp reminded the Board that both he and Supervisor Santiago will be attending the Capital to Capital Conference on Tuesday, May 6, 2014.

Supervisor Mikulaco stated that he would like to have a Board of Supervisor's meeting in El Dorado Hills. Last week he attended a conference for the California State Association of Counties (CSAC) in San Jose.

Supervisor Santiago spoke about the initiatives coming out of the California State Association of Counties (CSAC). Specifically, if the State of California decides to legalize marijuana. Resources will be available to address the impact that the legislation might have on a county. Supervisor Santiago brought up to CSAC her concerns about the illegal growing of marijuana on public lands. It is a growing issue among many counties, especially rural counties. CSAC is going to arrange discussions with Forest Services and law enforcement to address this issue.

She also attended the Tahoe Regional Planning Agency (TRPA) meeting. During this meeting, the allocation system and level of service was discussed. The Governor's Office of Planning and Research has a link addressing what they are considering for the level of service for the implementation of SB32 and AB375. Supervisor Santiago just returned from Washington, D.C. where she attended the National Association of Counties (NACo) legislative conference. She attended the Public Land Steering Committee meeting and the Undersecretary for the United States Department of Agriculture (USDA) was in attendance and was clear about the need to have better discussions between the United States Forest Services Department and counties regarding public lands, in particular forest management. The USDA is also looking at how the Environmental Protection Agency (EPA) classifies endangered species.

Supervisor Santiago spoke of how federal government impacts counties. In particular, the passage of the Farm Bill and the funding of Property In Lieu of Taxes (PILT). There was also a discussion on economic development and work force development and linking the two together.

Map 21, which is the transportation legislation on a federal level, expires in September of 2014. Hearings are currently taking place and it is important that discussions take place about transportation legislation.

ADJOURNED AT 4:26 P.M.

CLOSED SESSION

22. [14-0344](#) **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of Barbara Daniel v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., Claim ELAA-545728. (Est. Time: 15 Min.)
No Action Reported. All five (5) Supervisors participated.
23. [14-0347](#) **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Miki Templeton v. County of El Dorado et al., El Dorado County Superior Court Case Number PC20130619. (Est. Time: 15 Min.)
No Action Reported. All five (5) Supervisors participated.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or online) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)