



County of El Dorado

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Placerville, California
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MEETING AGENDA

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, March 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.

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.

8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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

CAO UPDATE

CONSENT CALENDAR

1. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, March 5, 2013.

2. [13-0263](#) Chief Administrative Office recommending the Board:
 - 1) Authorize the Department to enter into lease negotiations with the owners of parcel 097-202-48-100 at 768 Pleasant Valley Road, Diamond Springs for lease of a building for purposes of County Health and Human Services; and
 - 2) Appoint Russ Fackrell as the real estate negotiator on behalf of the County for the negotiation.

FUNDING: Health and Human Service Special Revenue.

3. [13-0193](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retired Captain Marc Adams.

4. [13-0158](#) Chief Administrative Office, Procurement and Contracts, recommending the Board approve the following pertaining to the Placerville Jail Sewer In-Line Shredder Project:
 - 1) Adopt and approve the plans and contract documents;
 - 2) Authorize the Chair to sign the plans;
 - 3) Authorize advertisement for construction bids (Bid No. 13-968-042).

FUNDING: Criminal Justice Special Revenue Fund.

5. [13-0126](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 184-S1110 with BHC Heritage Oaks Hospital, Inc., increasing the not-to-exceed amount from \$58,500 to \$426,000 with no change to the term of the Agreement, for the provision of inpatient mental health treatment for County clients, with a term July 1, 2010 through June 30, 2013.

FUNDING: State and Federal funds.

6. [13-0140](#) Library recommending the Board consider the following:
- 1) Acceptance of funding totaling \$13,700 from NorthNet Library system for the purchase of an interactive portable local history kiosk to be placed in libraries and other locations to showcase El Dorado County history;
 - 2) Authorize the Chair to sign a budget transfer increasing revenues and appropriations by \$13,700 as a result of the acceptance of this funding (4/5 Vote); and
 - 3) Authorize the Chair to sign the NorthNet Library System claim form requesting grant funding. (Cont'd 3/5/13, Item 17)

7. [13-0141](#) Library recommending the Board consider the following:
- 1) Acceptance of funding totaling \$14,938 from NorthNet Library system for the purchase of iPads and accessories, including applications (apps) and ebooks to loan to library patrons to advance their digital literacy skills;
 - 2) Authorize the Chair to sign a budget transfer increasing revenues and appropriations by \$14,938 as a result of the acceptance of this funding; and
 - 3) Authorize the Chair to sign the NorthNet Library System claim form requesting grant funding. (4/5 vote required) (Cont'd 3/5/13, Item 18)

FUNDING: NorthNet Library System Funds.

8. [13-0207](#) Sheriff's Office recommending the Board authorize the Sheriff to sign the Fiscal Year 2013/14 Boating Safety and Enhancement Financial Aid Contract (003-F1411) with the California Department of Boating and Waterways in the amount of \$319,546 for the term July 1, 2013 through June 30, 2014 to provide boating safety and enforcement activities on the County's rivers and lakes.

FUNDING: State of California Department of Boating and Waterways.

9. [12-1385](#) Transportation recommending the Board consider the following:
1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Catherine A. Bos, Trustee of the Bos Revocable Trust Dated June 22, 2007, for Assessor's Parcel Number 071-390-10; 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, 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.

10. [13-0023](#) Transportation recommending the Board authorize submittal of the County of El Dorado's Pollutant Load Reduction Plan for the Lake Tahoe Basin to the California Regional Water Quality Control Board, Lahontan Region pursuant to the National Pollution Discharge Elimination System Permit Board Order No. R6T-2011-101A1 requirement.

FUNDING: General Fund and Public Utility Franchise Fees.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

11. [07-192](#) Air Quality Management District recommending the Board revise the approved Chimney Smoke Reduction Program by increasing the incentive amounts as described in Attachment 6B.

FUNDING: Air Quality Management District Chimney Smoke Reduction Budget, Index Code 433110.

12. [13-0221](#) Chief Administrative Office recommending the Board receive and file the 2012 Annual Housing Element Implementation Progress Report following public comment for submittal to the State Department of Housing and Community Development.

13. [09-1254](#) Supervisor Nutting recommending the Board authorize the Chair to sign a letter to David Young, Esq., an attorney representing various miners and mining organizations and their lawsuit against the State of California and the prohibition on suction dredging mining.

10:00 A.M. - TIME ALLOCATION

14. [11-0833](#) Presentation by the Marshall Foundation regarding the "Employees for a Healthier Community" Giving Campaign and request for direction to move forward with an employee campaign plan. (Est. Time: 10 Min.)
15. [13-0211](#) Presentation by Matt Semonsen of American River Music providing an annual status report for promotional funding. (Est. Time: 10 Min.)
16. [13-0106](#) Chief Administrative Office recommending the Board adopt Resolution **025-2013** in support of the Next Economy Capital Region Prosperity Plan. (Est. Time: 10 Min.)

11:00 A.M. - TIME ALLOCATION

17. [13-0206](#) Health and Human Services Agency and Chief Administrative Office recommending the Board receive a presentation on the Affordable Care Act. (Est. Time: 30 min.)

2:00 P.M. - TIME ALLOCATION

18. [13-0024](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z11-0007/Tentative Map TM11-1504/Wilson Estates on property identified by APNs 126-070-22, 126-070-23, and 126-070-30, consisting of 28.18 acres, in the El Dorado Hills area, submitted by Ann Wilson, Lisa Vogelsang, Catherine Ryan, and Julie Ryan; and recommending the Board take the following actions:
- (1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
 - (2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures listed in Attachment 1;
 - (3) Approve Z11-0007 rezoning APNs 126-070-22, 126-070-23, and 126-070-30 from One-Acre Residential (R1A) to One-Family Residential (R1) based on the Findings listed in Attachment 1;
 - (4) Conditionally approve Tentative Map TM11-1504 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - (5) Approve the request for a Design Waiver to allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters; and
 - (6) Adopt Ordinance **4993** for said rezone. (Est. Time: 1.5 Hrs.) (Supervisorial District 1)(Cont'd 1/29/2013, Item 23)
- (Applicant's attorney is requesting this matter be continued off-calendar, and re-noticed at a future time.)**

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION

19. 13-0208 **Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1).** Title: El Dorado County v. EDH 52 - Eminent Domain. (Est. Time: 15 Min.)
20. 13-0242 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Ken Sherrod and Zolane Sherrod vs. El Dorado County. (Est. Time: 20 min.)
21. 12-0835 **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 121-280-12, 118-170-04 Huddinge Partners, a Nevada Limited Partnership. The person or persons with whom the negotiator may negotiate is Bradley Rotter;
2) APN 122-720-09 (approx. 6.26 acres, south of H50) Douglas Grant Line Assoc. Ltd., a Limited Partnership as to an undivided 45.6% interest; and Sacramento Realty Investors - El Dorado Ltd., a Limited Partnership as to an undivided 45.6% interest, and Sacramento Realty Investors - Clarksville, Ltd., a Limited Partnership as to an undivided 8.8% interest. The person or persons with whom the negotiator may negotiate is Robert M. Matz.
- Instructions to negotiator will concern price and term of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
22. 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.)

23. 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 Minutes)

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)

BOARD OF SUPERVISORS' ANNOUNCEMENTS

Tuesday, April 16, 2013
No Board of Supervisors Meeting

Tuesday, May 28, 2013
No Board of Supervisors Meeting