



County of El Dorado

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Minutes

Board of Supervisors

John R. Knight, Chair, District I
Ron Briggs, First Vice Chair, District IV
Norma Santiago, Second Vice Chair, District V
Ray Nutting, District II
James R. Sweeney, District III

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, March 27, 2012

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 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' website at www.edcgov.us 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. - CALLED TO ORDER NOTING THE BOARD WILL RECONVENE AT 9:00 A.M.

9:00 A.M. - CONVENED

Present: 5 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor John Lukas from Calvary Chapel of the Foothills gave the Invocation. Supervisor Santiago led the Pledge of Allegiance.

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, to adopt the Agenda and approve the Consent Calendar with the following exception: Item 11 was pulled from the Consent Calendar.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

12-0003 **OPEN FORUM**

NONE

12-0009 **BUDGET UPDATE**

NONE

CONSENT CALENDAR

1. [12-0002](#) Clerk of the Board of Supervisors recommending the Board approve the meeting minutes from the Regular Meeting of Tuesday, March 20, 2012.
This matter was Approved on the consent calendar.

2. [12-0299](#) Auditor-Controller recommending the Board adopt Resolution 031-2012 to amend Resolution 342-2003 relating to excess proceeds from tax sales due to changes in State Law (SB948) which became effective January 1, 2012.
Adopted Resolution 031-2012 upon approval of the consent calendar.

3. [12-0129](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
1) Declare a 1991 Dodge Ramcharger, Serial No. 3B4GM07Z0MM028579, County tag number 32234 as surplus; and
2) Approve the transfer of same vehicle to Meeks Bay Fire Protection Unit, Search and Rescue.
This matter was Approved on the consent calendar.

4. [12-0320](#) 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. [12-0378](#) Chief Administrative Office recommending the Board approve a Budget Transfer moving appropriations of \$250,000 from the Development Services Department budget to Department 15, Special Projects for contracts associated with the Targeted General Plan Update. (4/5 vote required)

FUNDING: General Fund.
This matter was Approved on the consent calendar.

6. [12-0330](#) Elections Department recommending the Board declare the results of the official canvass of the March 6, 2012 Mail Ballot Election conducted by the Recorder-Clerk-Registrar of Voters for Many Oaks Lane Zone of Benefit No. 98132 within County Service Area 9.
This matter was Approved on the consent calendar.

7. [12-0361](#) Supervisor Briggs recommending the Board direct the Department of Transportation to prepare for the Board's consideration a proposal that:
- 1) Correctly identifies the parcels that are within the set boundaries of the Many Oaks Lane Zone of Benefit (Zone) but do not have access to the Zone's maintained road system; and,
 - 2) Provides a resolution that permanently removes the identified parcels from the list of parcels eligible for benefit assessment and/or proposed special tax for the purposes of road improvement and maintenance services and drainage facility maintenance services that benefit the parcels with access to the Many Oaks Lane Zone of Benefit maintained road system.

This matter was Approved on the consent calendar.

8. [12-0319](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment II to Agreement 234-S1110 with North Valley Behavioral Health, LLC to provide acute psychiatric inpatient services for mentally disordered adults. This Amendment II extends the term of the Agreement through June 30, 2013 and increases the not-to-exceed amount by \$373,000.

FUNDING: Medi-Cal, CMSP and Mental Health Realignment.

This matter was Approved on the consent calendar.

9. [11-0203](#) Human Resources Department recommending the Board authorize the Chair to sign Amendment I to Agreement for Services (418-S1110) with Renne, Sloan, Holtzman & Sakai, LLP, to extend the term for one additional year, expiring March 31, 2013 with a not to exceed amount of \$25,000 to provide professional legal services on an "as requested" basis in support of the County in matters involving California Public Employment Relations Board. (4/5 Vote Required) (Refer 03/15/11, Item 7)

FUNDING: General Fund.

This matter was Approved on the consent calendar.

10. [12-0318](#) Sheriff's Office recommending the Board authorize the Sheriff to sign the Fiscal Year 2012/13 Boating Safety and Enforcement Financial Aid Contract (464-F1211) with the California Department of Boating and Waterways in the amount of \$319,546 for the term July 1, 2012 through June 30, 2013 to provide boating safety and enforcement activities on the County's rivers and lakes.

FUNDING: State of California Department of Boating and Waterways.

This matter was Approved on the consent calendar.

11. [12-0289](#) Department of Transportation recommending the Board adopt the El Dorado County Parks and Trails Master Plan Project (SCH No. 2012012003). (Cont'd 03/13/12, Item 18)

FUNDING: Accumulative Capital Outlay funds.

A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to adopt the El Dorado County Parks and Trails Master Plan Project as presented with one change on page 127, section AD12, the second paragraph is to read as follows:

"An important benefit of this coordination is the opportunity to leverage funding, grant writing, maintenance, and operational strategies that will help multiple recreation providers. Further, opportunities become more available to coordinate policies on the state and federal level with the needs of local government."

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

12. [12-0336](#) Treasurer-Tax Collector informing the Board that she will be absent from the State for the period of June 10, 2012 through June 30, 2012, and recommending that the Board consent to her absence for a period of one month or more, should an emergency arise preventing the Treasurer-Tax Collector's return to the State as scheduled.

This matter was Approved on the consent calendar.

13. [12-0367](#) Supervisor Knight and the Auditor-Controller recommending the Board:
- 1) Approve, in concept, the sharing of a portion of the property tax increment revenue that will be realized by the County General Fund if Bloo Solar constructs a large facility (at least 100,000 square feet) that creates a large number of new jobs (at least 100) in El Dorado County;
 - 2) Authorize the Chief Administrative Officer, Supervisor Knight, and the Auditor-Controller to negotiate a draft property tax increment revenue sharing agreement with Bloo Solar which would be brought to the Board for review and approval; and
 - 3) Authorize the Chief Administrative Officer, Supervisor Knight, and the Auditor-Controller to negotiate a draft fee waiver or fee deferral agreement with Bloo Solar which would be brought to the Board for review and approval.

This matter was Approved on the consent calendar.

14. [12-0384](#) Supervisor Sweeney recommending the Board appoint Deanne Johnson to the Diamond Springs/El Dorado Community Advisory Committee for a term to expire October 2015.

This matter was Approved on the consent calendar.

15. [12-0386](#) Supervisor Sweeney requesting the Board of Supervisors convene at 2:00 p.m. on Tuesday, April 10, 2012, at the El Dorado Center of Folsom Lake College to attend the Dedication Ceremony for a new 17" diameter telescope, donated by GenCorp/Aerojet.

This matter was Approved on the consent calendar.

16. [12-0385](#) Supervisor Santiago and Supervisor Briggs in conjunction with the El Dorado County Child Abuse Prevention Council, recommending the Board adopt a Proclamation recognizing March 2012 as Social Worker Month in El Dorado County.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

17. [12-0331](#) HEARING: Health and Human Services Agency, Community Services Division, recommending the Board conduct a public hearing to:
- 1) Receive and accept the final product of an Exterior Housing Conditions Study conducted under 2009-2010 Community Development Block Grant, General Allocation Planning and Technical Assistance Standard Agreement 09-PTAE-6497; and
 - 2) Authorize submittal of said study to the State of California Department of Housing and Community Development to satisfy grant requirements. (Est. Time: 20 Min.)

FUNDING: Federal CDBG Grant Funds and County General Fund.

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

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

18. [12-0256](#) HEARING: Health and Human Services Agency, Community Services Division, recommending Board conduct a public hearing to:
- 1) Consider the adoption of **Resolution 032-2012**, authorizing submittal of a Fiscal Year 2012-2013 Community Development Block Grant Application to the California Department of Housing and Community Development for up to a \$445,000 grant to provide additional resources up to \$379,250 for the County's ongoing Housing Rehabilitation and Homeownership Loan Programs, up to \$33,250 for Planning and Technical Assistance activities, and up to \$3,250 for general grant administration; committing \$3,500 in budgeted general funds for in-kind staff support to meet the leverage/match requirement during the 36-month grant term;
 - 2) Authorize the Chair to sign the Statement of Assurances; and
 - 3) If awarded, authorize the Director of Health and Human Services Agency, or successor, contingent upon approval by County Counsel and Risk Management, to execute the Standard Agreement and subsequent amendments thereto that do not affect the dollar amount or the term and to sign other grant-related documents. (Est. Time: 10 Min.) (Refer 03/06/12, Item 4)

FUNDING: Federal CDBG Grant Funds.

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, to adopt Resolution 032-2012 and approve this matter.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

10:00 A.M. TIME ALLOCATION

- 19. [11-0360](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing April 2012, as "Sexual Assault Awareness Month" in El Dorado County. (Est. Time: 5 Min.)
A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt the Proclamation.
Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

- 20. [10-0223](#) Supervisor Knight recommending the Board adopt a Proclamation declaring March 30, 2012, as "Welcome Home Vietnam Veterans Day." (Est. Time: 10 Min.)
A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to adopt the Proclamation.
Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

- 21. [12-0267](#) Chief Administrative Office providing the Board with an Update of the Land Use Policy Programmatic Update.
(Est. Time: 1 Hour)(Refer 2/27/12, Item 2)

FUNDING: N/A

Received and Filed.

2:00 P.M. TIME ALLOCATION

22. [12-0368](#) HEARING: Consider a request submitted by John David Pereira for Special Use Permit S11-0004/Sunset Lane Off-Premise Advertising Sign appealing: (1) Jurisdiction of the Planning Commission to consider appeals regarding Notice of Decision regarded Deemed Approved; (2) Decision by Planning Commission to uphold appeals regarding Notice of Decision regarded Deemed Approved; (3) Decision by the Planning Commission to reject the Negative Declaration/Initial Study; (4) Decision by the Planning Commission to deny application for reasons stated in Findings; and (5) Jurisdiction of the Planning Commission to consider project at all after Deemed Approved under the Permit Streamlining Act (PSA) on property identified by APN 090-430-09, consisting of 1.22 acres, in the Shingle Springs area; and Planning Services recommending the Board take the following actions:
- 1) Reject the Negative Declaration and find the project Statutorily Exempt from CEQA pursuant to Section 15270(a), "CEQA does not apply to projects which a public agency rejects or disapproves"; and
 - 2) Deny appeal S11-0004-A-3, thereby upholding the denial of Special Use Permit S11-0004 and upholding appeals S11-0004-A and S11-0004-A-2 by the Planning Commission on February 23, 2012 based on the Findings listed in Attachment 1. (Supervisory District 4) (Est. Time: 1 Hour)

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

- 1) Conceptually find that the Negative Declaration as proposed and amended is adequate and reflects the independent judgment of the Board;**
- 2) Conceptually grant appeal S11-0004-A-3 reducing the sign size to 480 square feet as was initially recommended by staff; and**
- 3) Direct staff to bring this matter forward for final action.**

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

23. [12-0373](#) HEARING: Consider a request submitted by John David Pereira for Special Use Permit S11-0005/Mother Lode Drive Off-Premise Advertising Sign appealing: (1) Jurisdiction of the Planning Commission to consider appeals regarding Notice of Decision regarded Deemed Approved; (2) Decision by Planning Commission to uphold appeals regarding Notice of Decision regarded Deemed Approved; (3) Decision by the Planning Commission to reject the Negative Declaration/Initial Study; (4) Decision by the Planning Commission to deny application for reasons stated in Findings; and (5) Jurisdiction of the Planning Commission to consider project at all after Deemed Approved under the Permit Streamlining Act (PSA) on property identified by APN 090-430-15, consisting of 0.46 acre, in the Shingle Springs area; and Planning Services recommending the Board take the following actions: 1) Reject the Negative Declaration and find the project Statutorily Exempt from CEQA pursuant to Section 15270(a), "CEQA does not apply to projects which a public agency rejects or disapproves"; and 2) Deny appeal S11-0005-A-3, thereby upholding the denial of Special Use Permit S11-0005 and upholding appeals S11-0005-A and S11-0005-A-2 by the Planning Commission on February 23, 2012 based on the Findings listed in Attachment 1. (Supervisorial District 4) (Est. Time: 1 Hour)

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

- 1) Conceptually reject the Negative Declaration and find the project Statutorily Exempt from CEQA pursuant to Section 15270(a), "CEQA does not apply to projects which a public agency rejects or disapproves"; and**
- 2) Conceptually deny appeal S11-0005-A-3, thereby upholding the denial of Special Use Permit S11-0005 and upholding appeals S11-0005-A and S11-0005-A-2 by the Planning Commission on February 23, 2012; and**
- 3) Direct staff to bring back findings for denial which reflect the Board's deliberations at the March 27, 2012 public hearing, for review and final action by the Board.**

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

24. [12-0380](#)

HEARING: Consider a request submitted by John David Pereira for Special Use Permit S11-0006/Coach Lane Off-Premise Advertising Sign appealing: (1) Jurisdiction of the Planning Commission to consider appeal regarding Notice of Decision regarded Deemed Approved; (2) Decision by Planning Commission to uphold appeal regarding Notice of Decision regarded Deemed Approved; (3) Decision by the Planning Commission to reject the Negative Declaration/Initial Study; (4) Decision by the Planning Commission to deny application for reasons stated in Findings; and (5) Jurisdiction of the Planning Commission to consider project at all after Deemed Approved under the Permit Streamlining Act (PSA) on property identified by APN 109-211-03, consisting of 0.87 acre, in the Cameron Park area; and Planning Services recommending the Board take the following actions:

- 1) Reject the Negative Declaration and find the project Statutorily Exempt from CEQA pursuant to Section 15270(a), "CEQA does not apply to projects which a public agency rejects or disapproves"; and
- 2) Deny appeal S11-0006-A-2, thereby upholding the denial of Special Use Permit S11-0006 and upholding appeal S11-0006-A by the Planning Commission on February 23, 2012 based on the Findings listed in Attachment 1. (Supervisory District 2) (Est. Time: 1 Hour)

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

- 1) Conceptually reject the Negative Declaration and find the project Statutorily Exempt from CEQA pursuant to Section 15270(a), "CEQA does not apply to projects which a public agency rejects or disapproves"; and
- 2) Conceptually deny appeal S11-0006-A-2, thereby upholding the denial of Special Use Permit S11-0006 and upholding appeal S11-0006-A by the Planning Commission on February 23, 2012; and
- 3) Direct staff to prepare findings for denial which reflect the Board's deliberations at the March 27, 2012 public hearing, for review and final action by the Board.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

[12-0006](#)

CAO REPORTS

NONE

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

NONE

CLOSED SESSION

NONE

ADDENDUM

Item No. 25. is hereby added to the Consent Calendar.

25. [12-0397](#) Chief Administrative Office recommending the Board
- 1) Authorize the department to enter into negotiations with the owners of the following properties; 6425 Capitol Avenue (APN 329-341-04), 4130 Product Drive (APN 109-401-01), APN 109-240-08, APN 109-030-33, and APN 109-030-34 for possible purchase of one of the properties for purposes of an Animal Shelter facility; and
 - 2) Direct the Chief Administrative Officer to sign a contract with Colliers International to act as the negotiator on the properties noted above.

FUNDING: Tobacco Settlement Funds

This matter was approved on the Consent Calendar.

ADJOURNED AT 6:24 P.M.