



County of El Dorado

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Minutes - Final Board of Supervisors

Norma Santiago, Chair, District V
Brian K. Veerkamp, First Vice Chair, District III
Ron Mikulaco, Second Vice Chair, District I
Shiva Frentzen, District II
Ron Briggs, District IV

James S. Mitrison, Clerk of the Board of Supervisors
Pamela Knorr, Interim Chief Administrative Officer
Robyn Drivon, County Counsel

Tuesday, December 2, 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.

8:00 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

9:15 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: K. Payne

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

Continue item 4 to January 6, 2015.

Hear items 28-30 together.

Hear item 36 before item 35.

Move item 41 to the Consent Calendar.

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

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: W. Davies, L. Blasick, J. Copeland, K. Payne, K. Smith, S. Taylor

CAO UPDATE

Pamela Knorr, Interim Chief Administrative Officer, updated the Board on the budget. She is working on getting to a model where there is more certainty. The Chief Administrative Office staff and the Auditor/Controller are working on coming up with figures to report to the Board.

CONSENT CALENDAR

- 1. **14-1557** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board of Supervisors on November 17, 2014 and the special meetings of the Board of Supervisors on November 21, 2014 and December 1, 2014.

This matter was Approved on the Consent Calendar.

- 2. **14-1519** Chief Administrative Office, Economic Development Division, recommending the Board consider the following:
 - 1) Adopt Resolution **207-2014** approving proposed revisions to the California Home Finance Authority Joint Powers Agreement; and
 - 2) Authorize the Chair to sign the revised Joint Powers Agreement contingent upon review, minor modification and approval by County Counsel and Risk Management. (Cont. 11/17/14, Item 10)

This matter was Approved and Resolution 207-2014 was Adopted upon Approval of the Consent Calendar.

- 3. **14-1522** Clerk of the Board recommending the Board receive and file the Fiscal Year 2014/15 Board of Supervisors district expenditures summary report for the period of July 1, 2014 through September 30, 2014.

This matter was Approved on the Consent Calendar.

- 4. **14-1524** Clerk of the Board, based upon the recommendation of the Fish and Game Commission, recommending the Board accept the following resignation and make the following appointment to the Fish and Game Commission:
 - 1) Accept the resignation of Karl Weiland, Member at Large, No Term Expiration; and
 - 2) Appoint Victor Babbitt, Member at Large, No Term Expiration.

This matter was Continued to January 6, 2015.

- 5. **14-1473** Community Development Agency, Administration and Finance Division, recommending the Board receive and file the Annual Report of Special Taxes for County Service Areas No. 3 and No. 9 Zones of Benefit for fiscal year 2013/14.

This matter was Approved on the Consent Calendar.

6. **14-0752** Community Development Agency, Environmental Management Division, recommending the Board consider the following:
- 1) Accept a payment program award in the amount of \$52,999 through the California Department of Resources Recycling and Recovery (CalRecycle), Used Oil Payment Program (Fiscal Year 2014/15); and
 - 2) Delegate authority to the Community Development Agency Director, or designee, to execute all grant or payment program documents, including, but not limited to, requests for payment, reports, and all associated documents necessary to secure grant or payment program funds and expend the funds for the purpose of implementing the CalRecycle Used Oil Payment Program, Cycle Five (OPP5), Fiscal Year 2014/15.

FUNDING: CalRecycle OPP5 Fiscal Year 2014/15 Used Oil Payment Program. (No Federal Funds)

This matter was Approved on the Consent Calendar.

7. **14-1428** Community Development Agency, Transportation Division, recommending the Board authorize Transportation to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Bucks Bar Road at the North Fork Cosumnes River - Bridge Replacement Project CIP No. 77116, affecting portions of the following parcels:
- 1) APN 093-131-12 Christopher Smith;
 - 2) APN 093-131-34 David Wright and Susan Jones;
 - 3) APN 093-131-07 James Oakley;
 - 4) APN 093-131-05 Karl and Irene Zabel; and
 - 5) APN 093-131-13 Robert and Genevieve Fourie, Trustees of the Fourie Revocable Trust.

FUNDING: Funding for this portion of the acquisition process will be provided by Highway Bridge Program, Regional Surface Transportation Program Exchange Funds - Caltrans and Regional Surface Transportation Program Exchange Funds - Rural El Dorado County Transportation Commission. (Federal Funds)

This matter was Approved on the Consent Calendar.

8. **14-1504** Community Development Agency, Transportation Division, recommending the Board adopt Resolution **223-2014** sanctioning the closure of Main Street in Georgetown within Harkness Street and Hwy 193 on December 6, 2014 between 3:00 p.m. and 8:00 p.m for the "Parade of Lights" event sponsored by the Georgetown Divide Rotary Club.

Resolution 223-2014 was Adopted upon Approval of the Consent Calendar.

9. 14-1510 Community Development Agency, Transportation Division, recommending the Board adopt Resolution **225-2014** sanctioning the closure of roads in the vicinity of the Cameron Park Community Services District Park on Saturday, December 6, 2014, between 8:00 a.m. and 9:15 a.m. for the 2014 Cameron Park "Santa Run" event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 225-2014 was Adopted upon Approval of the Consent Calendar.

10. 14-1418 Supervisor Santiago requesting a Board workshop on the Draft Meyers Area Plan as directed by Board action on October 28, 2014. (Refer: 10/28/14, Item 10) **Staff recommending this matter be continued off calendar.**

This matter was Continued off calendar.

11. 14-1552 Community Development Agency, Long Range Planning Division, recommending the Board receive and file the updated Transportation Impact Studies Guidelines.

FUNDING: Road Fund. (No Federal Funds)

This matter was Approved on the Consent Calendar.

12. 12-0983 Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Amendment I which will allow the City of Placerville to request a refund via check if there is an overpayment of the fiscal year's actual expenses, with respect to revenue generating Agreement 098-O1311 with the City of Placerville, for the County to provide animal control services within the boundaries of the City of Placerville with no change to the beginning term date of July 1, 2012 and continuing into perpetuity until terminated by either party; and
 - 2) Approve and authorize the Chair to execute further documents relating to Agreement 098-O1311, including amendments which do not affect the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: City of Placerville.

This matter was Approved on the Consent Calendar.

13. 14-0612

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

- 1) Approve and authorize the Chair to sign retroactive revenue Agreement 284-F1511 (DHCS 14-90055) with the California Department of Health Care Services, for the provision of alcohol and drug counseling services with a term that began July 1, 2014 through June 30, 2017, in the amount of \$3,845,280;
- 2) Approve and authorize the Chief Administrative Officer, or their designee, to execute additional documents or amendments related to Agreement 284-F1511 that do not affect the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management; and
- 3) Approve and authorize the Director of the Health and Human Services Agency, or successor, to continue to administer Agreement 284-F1511 and authorize the Director or the Chief Fiscal Officer to execute any required fiscal and programmatic reports.

FUNDING: Federal (Substance Abuse Prevention and Treatment Block Grant, and Medicaid), State Behavioral Health Realignment Funds, and State General Fund (Drug Medi-Cal) Funds, administered by the California Department of Health Care Services.

This matter was Approved on the Consent Calendar.

14. 14-1020

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

- 1) Adopt Resolution **229-2014** amending the Authorized Personnel Allocation Resolution for the Health and Human Services Agency to add 1.0 FTE Senior Fiscal Assistant to support the In-Home Supportive Services Public Authority; and
Acting as the Governing Board of the In-Home Support Services Public Authority:
- 2) Approve and authorize the Chair to sign a budget transfer to incorporate revenue and appropriations into the In-Home Supportive Services Public Authority Fiscal Year 2014/15 Budget totaling \$91,000 as a result of additional Federal and State Funding, with no increase to Net County Cost. (4/5 vote required)

FUNDING: Federal, State and County required match met with Realignment.

This matter was Approved and Resolution 229-2014 was Adopted upon Approval of the Consent Calendar.

- 15. 14-1549** Health and Human Services Agency, Social Services Division, recommending the Board consider the following:
- 1) Adopt Resolution **232-2014** amending the Authorized Personnel Allocation Resolution for the Health and Human Services Agency to add 1.0 FTE Social Worker I/II/III/IV allocation for Social Services Child Protective Services with no impact to Net County Cost.

FUNDING: Federal, State and County required match utilizing Realignment.

Resolution 232-2014 was Adopted upon Approval of the Consent Calendar.

- 16. 14-1569** Health and Human Services Agency recommending the Board approve and authorize the Chair to sign the following two certifications which will be part of The Center of Violence Free-Relationships' applications to the California Department of Housing and Community Development for 2014 Emergency Solutions Grants Program funding:
- 1) A Certification of Local Approval for the Emergency Shelter component; and
 - 2) A Certification of Local Approval for the Rapid Re-housing component.

This matter was Approved on the Consent Calendar.

- 17. 14-1556** Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Agreement for Services 664-F1411 with Sutter-Yuba Mental Health Services, which is a revenue agreement for services rendered, for the provision of inpatient mental health services, for the term November 13, 2013 through January 13, 2014, with a maximum contractual obligation of \$2,600; and
 - 2) Authorize the Chief Administrative Officer, or their designee, to execute further documents relating to Agreement for Services 664-F1411, including amendments which do not increase the maximum dollar amount or term of the Agreement and contingent upon approval by County Counsel and Risk Management.

FUNDING: Revenue Agreement- Sutter-Yuba County Mental Health.

This matter was Approved on the Consent Calendar.

- 18. 14-1537** Human Resources recommending the Board consider the following:
- 1) Adopt Resolution **230-2014** adopting the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the Operating Engineers Local Union No. 3 Corrections Unit for the period covering January 1, 2014 through December 31, 2016;
 - 2) Approve and authorize the Chair to sign said MOU, noting the MOU would be effective first full pay period following Association ratification and the Board's adoption of the MOU; and
 - 3) Direct Human Resources and the Auditor-Controller's Office to administer and implement the MOU provisions.

FUNDING: General Fund.

This matter was Approved and Resolution 230-2014 was Adopted upon Approval of the Consent Calendar.

- 19. 11-1401** Human Resources recommending the Board consider the following:
- 1) Approve the 2015 Sessions of the Supervisors' Training Academy course; 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.

- 20. 14-1508** Recorder Clerk's Office and Human Resources recommending the Board adopt Resolution **224-2014** establishing the salary schedule for the classification of Election Worker - Extra Help.

FUNDING: General Fund.

Resolution 224-2014 was Adopted upon Approval of the Consent Calendar.

- 21. 14-1299** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the extreme wildland fire known as the King Fire. (Cont. 11/17/14, Item 5)

This matter was Approved on the Consent Calendar.

- 22. 14-1417** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of drought conditions. (Cont. 11/17/14, Item 30)

This matter was Approved on the Consent Calendar.

- 23. 13-1445** Supervisor Mikulaco recommending the Board consider the following pertaining to the 51st Annual Santa Run fireworks display to be held at the El Dorado Hills Town Center on Saturday, December 20, 2014:
- 1) Adopt Resolution **226-2014** permitting Pyro Engineering, Inc. dba Bay Fireworks to conduct a pyrotechnic display for the event, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by the control authorities; and
 - 2) Authorize the Chair to sign a letter to the Fire Marshal approving same.

This matter was Approved and Resolution 226-2014 was Adopted upon Approval of the Consent Calendar.

- 24. 14-1618** Supervisor Santiago recommending the Board authorize Interim Chief Administrative Officer, Pamela Knorr, to approve County participants seven hours of County time to perform in the traditional County department holiday choir tour on December 17, 2014.

This matter was Approved on the Consent Calendar.

- 25. 14-1609** Supervisor Veerkamp and the El Dorado County Office of Education recommending the Board appoint Nadia Bell, Union Mine High School, to the 2014/15 El Dorado County Youth Commission as a District Three representative.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 26. 14-1597** Supervisor Santiago recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign a Proclamation posthumously honoring Dr. Steven Thaxton, retired Executive Director of First Five El Dorado, Children and Families First Commission, recognizing his contributions to children and families throughout the county; and
 - 2) Present Proclamation to Kathi Guerrero, Executive Director of First Five El Dorado, and Dr. Thaxton's family in attendance. (Est. Time: 15 Min.)

Supervisor Santiago read the Proclamation.

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

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

- 27. 14-1600** Chief Administrative Office, Economic Development Division, recommending the Board receive a presentation from the El Dorado Arts Council providing an annual status report for promotional funding. (Est. Time: 15 Min.)

Received and Filed.

- 28. 14-1577** Community Development Agency, Environmental Management Division, recommending the Board consider the following:
- 1) Adopt Resolution **210-2014** authorizing a new Solid Waste Services Agreement with South Tahoe Refuse Co., dba Sierra Disposal Service; and
 - 2) Approve and authorize the Chair to sign the Solid Waste Services Agreement with Sierra Disposal Service, that includes a four year initial term, and with a rate freeze for Calendar Year 2015 (the first year eligible for an increase being Calendar Year 2016).

FUNDING: Franchise Fees. (No Federal Funds)

Items 28-30 were heard together.

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 210-2014.

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

29. 12-0494

HEARING - Community Development Agency, Environmental Management Division, recommending the Board consider the following:
1) Adopt Resolution **227-2014** authorizing the approval of consolidation of the American River Disposal Service Franchise Agreement into the South Tahoe Refuse Franchise Agreement;
2) Authorize the Chair to sign the Amendment to the South Tahoe Refuse Franchise Agreement; and
3) Adopt Resolution **228-2014** authorizing the rate increase of four percent (4%) for American River Disposal Service (Area B of Amendment to South Tahoe Refuse Franchise Agreement).

FUNDING: Franchise Fees. (No Federal Funds)

Items 28-30 were heard together.

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolutions 227-2014 and 228-2014.

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

30. 12-1460

HEARING - Community Development Agency, Environmental Management Division recommending the Board adopt Resolution **209-2014** adjusting the solid waste collection rates for South Tahoe Refuse Co., Inc. by two and 66/100 percent (2.66%) to be effective January 1, 2015, in accordance with the base year rate setting process as outlined in the Solid Waste Rate Setting Policies and Procedures Manual.

Funding: Franchise Fees. (No Federal Funding)

Items 28-30 were heard together.

Supervisor Santiago opened the public hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Adopt Resolution 209-2014.

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

- 31. 12-0244** Community Development Agency, Environmental Management Division, recommending the Board approve and authorize the Chair to execute the Second Amendment to the Solid Waste Services Franchise Agreement with Amador Disposal Service, extending the term for one (1) year ending on December 31, 2015 and updating the grantor and grantee noticing names and addresses, with no increase to solid waste collection fees.

FUNDING: No Federal Funds.

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

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

- 32. 14-1478** Community Development Agency, Development Services Division, recommending the Board consider the following pertaining to the 2013 Fire Code regarding West Slope Fire Agencies:
- 1) Adopt Resolution **212-2014** regarding the Cameron Park Community Services District,
 - Resolution **213-2014** regarding the Diamond Springs-El Dorado Fire Protection District,
 - Resolution **214-2014** regarding the El Dorado County Fire Protection District,
 - Resolution **215-2014** regarding the El Dorado Hills County Water District,
 - Resolution **216-2014** regarding the Georgetown Fire Protection District,
 - Resolution **217-2014** regarding the Latrobe Fire Protection District,
 - Resolution **218-2014** regarding the Mosquito Fire Protection District,
 - Resolution **219-2014** regarding the Pioneer Fire Protection District, and
 - Resolution **220-2014** regarding the Rescue Fire Protection District to do the following:
 - a) Ratify the Fire Agency Amendments to the 2013 Fire Code, with clarifications;
 - b) Delegate enforcement authority of the Fire Code to the Fire Chief of the local Fire Agencies except for one and two family dwellings; and
 - c) Delegate the Building Official as an agent of the Fire District for enforcement of the Fire Code of one and two family dwellings. The local Fire District shall remain the authority.

Items 32 and 33 were heard together.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolutions 212-2014, 213-2014, 214-2014, 215-2014, 216-2014, 217-2014, 218-2014, 219-2014 and 220-2014.

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

- 33. 14-1480** Community Development Agency, Development Services Division, recommending the Board consider the following pertaining to the 2013 Fire Code regarding Tahoe Basin Fire Agencies:
- 1) Adopt Resolution **221-2014** regarding the Lake Valley Fire Protection District and Resolution **222-2014** regarding the Meeks Bay Fire Protection District to do the following:
 - a) Ratify the Fire Agency Amendments to the 2013 Fire Code, with clarifications;
 - b) Delegate enforcement authority of the Fire Code to the Fire Chief of the local Fire Agencies except for one and two family dwellings; and
 - c) Delegate the Building Official as an agent of the Fire District for enforcement of the Fire Code of one and two family dwellings. The local Fire District shall remain the authority; and
 - 2) Do not approve 2013 Fire Code Amendments to Sections: 903.2.8.2 and 903.2.8.3 which requires sprinkler systems to additions and alterations because this contradicts the 2013 California Residential Code Section R313 which specifically excludes this requirement.

Items 32 and 33 were heard together.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolutions 221-2014 and 222-2014.

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

11:00 A.M. - TIME ALLOCATION

- 34. 14-1405** Chief Administrative Office recommending the Board receive and file an update on the Burned Area Emergency Response and the National Environmental Policy Act.

Received and Filed.

2:00 P.M. - TIME ALLOCATION**35. 14-0769**

Community Development Agency, Development Services Division, returning to the Board with the necessary documents for formal action on the El Dorado Hills Apartments project (A14-0001/Z14-0001/SP86-0002-R/PD94-0004-R-2) that was conceptually approved by the Board on November 4, 2014. Staff recommending the Board take the following actions:

- 1) Adopt the Subsequent Mitigated Negative Declaration based on the Initial Study;
 - 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment 7B);
 - 3) Approve A14-0001 amending the General Plan by adding a new policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed from 24 dwelling units/acre to a maximum of 55 dwelling units/acre for the project site based on the Findings presented (Attachment 7A);
 - 4) Approve Z14-0004 rezoning Assessor's Parcel Numbers 121-290-60, 121-290-61, and 121-290-62 from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD) based on the Findings presented (Attachment 7A);
 - 5) Approve SP86-0002-R amending the El Dorado Hills Specific Plan by incorporating multifamily residential use, density, and related standards for the project site based on the Findings presented (Attachment 7A);
 - 6) Approve PD94-0004-R-2 amending the Town Center East Planned Development by incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex within Planning Area 2 of the Town Center East Development Plan based on the Findings (Attachment 7A) and subject to the Conditions of Approval as presented (Attachment 7B);
 - 7) Adopt Resolution **208-2014** for said General Plan amendment; and
 - 8) Adopt Ordinance **5015** for said rezone.
- (Est. Time: 45 Min.) (Supervisory District 1)

Public Comment: K. Payne, T. Efficino, D. Debord, R. Boyland, S. Taylor, L. Brent-Bumb

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

- 1) **Include language at the end of Condition No. 1 "In addition to the mitigation measures and conditions set out herein, Applicant shall comply with any applicable mitigation measures set out in the El Dorado Hills Specific Plan EIR, State Clearinghouse No. 86122912.";**
- 2) **Adopt Resolution 208-2014; and**
- 3) **Adopt Ordinance 5015.**

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Noes: 1 - Frentzen

36. 14-1484

Supervisor Veerkamp recommending the Board join him in congratulating and celebrating the six newly appointed County All Stars with the All Star 4-H Ambassador program. This is the highest achievable level within the County. The six will be recognized by Current All Stars; Gina Phillipsen (2012 - current) and Ben Hicks (2013 - current). Congratulations to these outstanding All Stars!
Rachel Gray - Anna Hicks - Molly Varozza - Anna Marie Repetto - Katie Hasco - Brooke Haynes (Est. Time: 15 Min.)

Received and Filed.

3:00 P.M. - TIME ALLOCATION

37. 13-1175

Supervisor Briggs recommending the Board consider the following:

- 1) Adopt Resolution of Intention **233-2014** initiating an amendment to the El Dorado County Code to repeal Section 17.14.260 of Chapter 14 of Title 17 of the El Dorado County Ordinance Code pertaining to Outdoor Cultivation of Medical Marijuana;
- 2) Find that adoption of the Resolution of Intention is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and
- 3) Direct staff to initiate the process to repeal the Ordinance. (Est. Time: 2 Hr.)

Public Comment: M. Donnelly, A. Viola, B. Davies, S. Henderson, A. Anderson, B. Eisenberg, B. Ember, K. Scott, K. Oliver, C. Anderson, L. Levinson, B. Boswell, J. Neau, J. Gillispie, C. Bass, J. Carver, S. Mesa, L. Gresham-Gordon, D. Bishop, B. Bartholomew, W. Dikeman, K. Bartholomew, G. Davidson, P. Morgan, K. Camp, K. Floyd, P. Zimmerman, D. Fiegler, Ron, A. O'Neil, D. Pratt, R. Miller, B. Rogers, F. Gelmer, B. Ryan, J. Short, L. Chiusano, J. Beridan, M. Fiddel, J. Chapman.

A motion was made by Supervisor Santiago, seconded by Supervisor Veerkamp, to establish a committee for the purposes of further evaluation of the ordinance and return to the Board with recommendations.

The committee shall consist of the following:

- County Counsel**
- District Attorney**
- Sheriff**

The existing members of the medical marijuana working group established by Supervisor Briggs

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

DEPARTMENT MATTERS**38. 12-1483**

Chief Administrative Office recommending the Board consider the following:

- 1) Exercise the Option Agreement for Exchange of Real Property of approximately 5.20 acres each for APNs 325-300-02 and 325-300-32 between the County and John V. Briggs on behalf of the Briggs Family Trust, to be effective December 18, 2014. This action is associated with the proposed future location of the New Placerville Courthouse (4/5 vote required);
- 2) Authorize staff to open a sixty (60) day escrow, commencing on December 19, 2014 per the terms of the Option Agreement;
- 3) Direct and authorize staff to determine that the contingencies are satisfied and to authorize the close of escrow. Staff is further authorized to extend on behalf of the County any deadlines or other time requirements of the Option Agreement; and
- 4) Authorize staff to prepare and the Chair to execute, upon satisfaction of the various contingencies in the Option Agreement, an appropriate grant deed to convey the County Property, a Certificate of Acceptance for the Option Property, and all other easements and documents as needed to facilitate the needs of the Optionor, the County, and the Judicial Council (Formerly Administrative Office of the Courts) and to consummate the transaction. (4/5 vote required)

Public Comment: K. Payne, K. Smith, S. Taylor, J. Davenport, L. Parlin

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

Yes: 4 - Santiago, Mikulaco, Veerkamp and Frentzen

Recused: 1 - Briggs

39. 14-1586

Chief Administrative Office, Facilities Division and the Chief Probation Officer, recommending the Board consider the following:

- 1) Receive and file the El Dorado County Juvenile Hall Needs Assessment for the Placerville Juvenile Hall, prepared by Vanir Construction Management, Inc.;
- 2) Authorize the Chief Administrative Officer, or their designee, or Chief Probation Officer to submit an application to the Board of State and Community Corrections (BSCC) for Senate Bill 81, Round Two Local Youthful Offender Rehabilitative Facility (LYORF) Construction Funding Program; and
- 3) Adopt Resolution **231-2014**, as required by the BSCC funding application, providing authorizations and assurances as specified.

FUNDING: General Fund and State SB 81, Round Two LYORF Construction Funding.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 231-2014 to include in both the application and the Resolution the three identified sites. Those sites are as follows:

- 1) Existing Sheriff's Administration Center (when it is no longer occupied);
- 2) County owned lands adjacent to the jail; or
- 3) Land adjacent the new Sheriff's Administration Center.

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

- 40. 14-1320** Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Green Valley Road at Weber Creek - Bridge Replacement Project, Contract No. PW 13-30685, CIP No. 77114, P&C No. 213-C1599:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for November 12, 2014;
 - 2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management;
 - 3) Authorize the Community Development Agency Director to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds; and
 - 4) Authorize the Transportation Division Director to sign the Dispute Resolution Advisor Agreement with the Contractor, the County, and the Dispute Resolution Advisor for the purpose of assisting in the resolution of disputes and/or potential claims. (Refer: 10/14/14, Item 17)

FUNDING: Highway Bridge Program and Regional Surface Transportation Program Exchange Funds. (Federal Funds)

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

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

- 41. 14-1425** Supervisor Briggs recommending the Board consider the following:
- 1) A request submitted by the American Legion Post 119 to adopt a county ordinance to allow "Remote Caller Bingo" games to be conducted in the County of El Dorado; and
 - 2) Direct County Counsel to:
 - a) Work with affected departments to determine the impact of a new ordinance, or amendments to County Ordinance Chapter 5.20, that would authorize and regulate the operation of Remote Caller Bingo games in the County of El Dorado; and
 - b) Return to the Board with a report that contains the information per the procedure set forth in Board of Supervisors Policy A-3, and if directed, a draft ordinance, for the Board's consideration.

This matter was Approved on the Consent Calendar.

ITEMS TO/FROM SUPERVISORS

Supervisor Briggs commented on the successful tour of the King Fire area with members of the State Legislature on November 19, 2014. Thanks to El Dorado Transit for providing bus services for this event and thanks to the Board for authorizing payment for same.

ADJOURNED AT 7:36 P.M. in honor of Stan Paolini

CLOSED SESSION

- 42. 14-1560** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Jack Hughes of Liebert, Cassidy, Whitmore; Director of Health and Human Services Agency and/or designee. Non-employee organization: In-Home Supportive Services. (Est. Time: 30 Min.)
- No Action Reported. All five Supervisors participated.**
- 43. 14-1511** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee.
Employee Organization: Deputy Sheriffs' Association representing employees in the Law Enforcement Unit; and El Dorado County Law Enforcement Managers' Association. (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
- 44. 14-1575** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee.
Employee Organization: El Dorado County Employees' Association Local No. 1; Operating Engineers Local Union No. 3 representing employees in the Corrections, Probation and Trades and Crafts Bargaining Units; Deputy Sheriffs' Association representing employees in the Law Enforcement Unit; El Dorado County Managers' Association; El Dorado County Deputy County Counsel Association; El Dorado County Criminal Attorneys' Association; El Dorado County Law Enforcement Managers' Association; and Unrepresented Management. (Est. Time: 10 Min.)
- This matter was Continued to December 9, 2014.**
- 45. 14-1570** **Pursuant to Government Code Section 54957 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Update Board on Section 504 of El Dorado County Charter with regard to LEMA and DSA Bargaining Units. (Est. Time: 15 Min.)
- This matter was Continued to December 9, 2014.**

- 46. 14-1592 Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Title: Claim of Harry Dean v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., ELOT#232525; and Claim of Joseph Murphy v. County of El Dorado, Worker's Compensation Claim Settlement, York Risk Services Group, Inc., ELOP#76973 . (Est. Time: 10 Min.) (Cont. 12/2/14, Item 46)

This matter was Continued to December 9, 2014.

- 47. 14-1401 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 20 Min.) (Cont. 12/2/14, Item 47)

This matter was Continued to December 9, 2014.

- 48. 13-1541 Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Sierra Club and Friends of the West Shore v. Tahoe Regional Planning Agency, (U.S. Court of Appeals for the Ninth Circuit, Case No. 14-15998/ U.S. District Court, Eastern District, Case No. 2:13-CV-00267-JAM-EFB) (Est. Time: 10 Min.)

No Action Reported. All five Supervisors participated.

- 49. 14-1183 Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: El Dorado County v. Sacramento County, Respondent, and Sacramento County Airport System, Real Party in Interest; Sacramento County Superior Court Case No. 34-2014-80001947 (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

NEW BUSINESS

At the recommendation of County Counsel pursuant to Government Code 54956.9(d)(3) - Significant Exposure to Litigation and by unanimous vote by the Board, the following item was added to the Agenda.

- 50. 14-1629 Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(3). Title: El Dorado Hills Apartments Project Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.