



County of El Dorado

330 Fair Lane, Building A
Placerville, California
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www.edcgov.us/bos

MEETING AGENDA

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, February 28, 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.

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>

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. - 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 AGENDA AND APPROVAL OF CONSENT CALENDAR

Board Members, staff and members of the public may request an item be pulled from the Consent Calendar for discussion. Items requested to be removed from the Consent Calendar shall be removed from Consent Calendar and heard by the Board. The Board will make any necessary additions, deletions, or corrections to the Agenda, determine matters to be added to or removed from the Consent Calendar, and with one motion adopt the Agenda and approve the Consent Calendar.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [12-0002](#) Clerk of the Board of Supervisors recommending the Board approve the meeting minutes from the Regular Meeting of Tuesday, February 14, 2012.

2. [12-0273](#) Auditor-Controller recommending the Board authorize the Auditor-Controller to disburse excess proceeds from the sale of tax defaulted properties to the following:
- 1) Larry R. and Carolyn A. Upton in the amount of \$497.59, APN 046-132-36-100;
 - 2) Mitchell and Lynda Vaughn in the amount of \$1,129.11, APN 500-144-29-100;
 - 3) Berkeley Smith in the amount of \$1,011.47 and Linda M. Smith Broussard in the amount of \$1,011.47, APN 500-143-69-100; and
 - 4) Rickey Ricardo Smith in the amount of \$175.63 and Rosa Savage in the amount of \$175.63, APN 500-122-47-100.
3. [12-0250](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign Agreement AGMT 12-53403 (443-1210) with Trane U.S. Inc., doing business as Trane in the amount of \$60,000 for refurbishing and providing scheduled maintenance, on-call and emergency repair services and a five year warranty for the compressor and chiller incorporated in the heating, ventilation and air conditioning system for Buildings A and B in the Government Center in Placerville.
4. [12-0148](#) Chief Administrative Office recommending the Board authorize the Chair to sign the First Amendment to Agreement for Services AGMT11-53342 (574-S1210) with Alpine Smith, Inc. for snow removal and snow staking services for County facilities in the Tahoe Basin extending the term by two months to April 30, 2012; increasing the compensation amount by \$24,834 for a total compensation amount of \$74,502 for the term of the Agreement; and changing the County's Contract Administrator and notices recipient to reflect the transfer of responsibility for the Agreement to the Chief Administrative Office.

FUNDING: General Fund.

5. [12-0263](#) Chief Administrative Office recommending the Board authorize Kim Kerr, Assistant Chief Administrative Officer to sign the Amendment to the General Liability II Program Memorandum of Understanding for the CSAC Excess Insurance Authority.

FUNDING: Risk Fund.

6. [12-0248](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Request for Proposal 12-918-031 for the Promotions Program to Lake Tahoe South Shore Chamber of Commerce in the amount of \$70,000 and to American River Music, Inc. in the amount of \$36,077;
 - 2) Authorize the Chief Administrative Officer, or designee, to negotiate agreements with the above organizations; and
 - 3) Authorize the Purchasing Agent to execute said agreements for a two year term, subject to County Counsel and Risk Management review and approval.
- FUNDING:** (General Fund): Hotel and Motel Tax (HMT).
7. [12-0208](#) 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.
8. [12-0203](#) Development Services Department, Building Services Division, recommending the Board consider the following applicants for appointment to the Building Appeals Board for terms to expire January 2015:
- 1) Professional Category: Reappoint Jeffrey Haberman;
 - 2) Engineer Position: Appoint Gary Gates, filling position vacated by Gene Thorne;
 - 3) Professional Category: Appoint Stephen Twist, filling position vacated by Mike Kerney; and
 - 4) Community At Large Position: Appoint Dwayne Nystrom, filling vacant position.
9. [12-0244](#) Environmental Management Department recommending the Board authorize Department to enter into franchise amendment negotiations with Amador Disposal Co, Inc. (a Waste Connections company) for collection and disposal of municipal solid waste generated by residential, commercial and industrial customers within the franchise area in the unincorporated southern portion of the County including Somerset, Grizzly Flats and Mt. Aukum.

10. [12-0193](#) Health and Human Services Agency, Social Services Division, and Probation Department recommending the Board review and authorize the Chair to sign the 2012 El Dorado County Child Welfare Services County Self-Assessment and approve for submittal as required to the California Department of Social Services.
11. [10-0351](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign perpetual, non-standard Amendment I to Agreement for Services 316-S1010, retroactive to January 1, 2012, in an amount not to exceed \$30,000 per annum, acknowledging the assignment of the Agreement from Perinatal and Pediatric Specialists Medical Group, Inc. dba Children's Specialist Medical Group of Sacramento, Inc. and Sutter Medical Center to Sutter Medical Foundation and Sutter Medical Center for the provision of forensic evidentiary exam services on an "as requested" basis for resident victims of sexual assault. (Refer 4/27/10, Item 15)
- FUNDING:** 85% Federal/State Social Services funding with required 15% County share of costs met primarily with realignment resources.
12. [09-0182](#) Information Technologies Department recommending the Board approve all current perpetual hardware maintenance and software license agreements as outlined on the chart dated March 1, 2012 for on-going hardware maintenance and software support for Fiscal Year 2012-2013.
- FUNDING:** General Fund.
13. [12-0205](#) Probation Department recommending the Board authorize the Chair to sign Amendment II to Agreement 277-S1010 with 3m Electronic Monitoring, Inc. for rental of electronic and GPS tracking equipment with 24/7 monitoring services, Amendment II will increase this Agreement by \$84,000 for an increased not to exceed total of \$144,318; the term of this agreement remains January 27, 2010 through January 26, 2013, all other parts and sections of this agreement remain unchanged and in full force and effect.
- FUNDING:** AB 109 and General Fund.
14. [12-0087](#) Recorder-Clerk-Registrar of Voters recommending the Board adopt a Resolution designating classifications and stipends for precinct board members.
- FUNDING:** Elections Operating Budget (General Fund).

15. [12-0236](#) Recorder-Clerk-Registrar of Voters recommending the Board adopt a Resolution approving an Agreement for grant funds available under the Help America Vote Act Polling Place Accessibility Training Program and authorizing the Recorder-Clerk Registrar of Voters to execute the grant funding agreement, subject to approval by County Counsel.

16. [12-0174](#) Sheriff's Office recommending the Board authorize the Chair to sign a Reimbursement Agreement between the County and the El Dorado Irrigation District to purchase waterproof day/night security cameras, motion sensors and remote video engine equipment in an amount not to exceed \$39,000.

FUNDING: 2010 Homeland Security Grant Funds.

17. [12-0196](#) Sheriff's Office recommending the Board:
1) Accept the grant award of \$158,893 from the Emergency Management Performance Grant (EMPG) for Fiscal Year 2011/12; and
2) Adopt and authorize the Chair to sign a resolution updating the titles of positions authorized to sign documents such as claims, status reports, etc. relative to this grant.

18. [11-0606](#) Sheriff's Office recommending the Board authorize the Chair to sign retroactive amendments to the Cooperative Law Enforcement Agreement 08-LE-11051360-002 with the United States Forest Service in the total amount \$51,000 for the term of October 1, 2011 through September 30, 2012, to provide funding for Sheriff's patrol services on national forest system roads within the El Dorado County National Forest and Lake Tahoe Basin Management Unit, as well as funding for Sheriff's Office expenditures associated with the detection of locations and activities related to the illegal production and trafficking of controlled substances during Federal Fiscal Year 2011/12.

FUNDING: United States Forest Service.

19. [08-1269](#) Department of Transportation recommending the Board take the following actions related to modifications to Phase 2B of the U.S. Highway 50/El Dorado Hills Boulevard-Latrobe Road Interchange:
1) Adopt U.S. Highway 50/El Dorado Hills Boulevard-Latrobe Road Interchange Addendum No. 3 to the Environmental Impact Report to modify Phase 2B; and
2) Approve modifications to Phase 2B of the Project as described in the U.S. Highway 50/El Dorado Hills Boulevard-Latrobe Road Interchange Addendum No. 3 to the Environmental Impact Report.

20. [12-0140](#) Supervisor Knight recommending the Board approve a budget transfer decreasing General Fund contingency and increasing appropriations in the FY 2011-12 Civil Grand Jury budget by \$41,938 (4/5 vote required).

FUNDING: General Fund.

21. [12-0276](#) Supervisor Nutting recommending the Board approve and authorize the Chair to sign a letter of support to the Pacific Legal Foundation on behalf of the Western Mining Alliance who is seeking legal assistance on behalf of the suction dredge miners as it relates to the recently released Environmental Impact Report.

22. [12-0252](#) Supervisor Santiago and the Tahoe Basin Fire Chiefs recommending the Board approve and authorize the Chair to sign a letter to California State Governor, Jerry Brown, asking him to reinstate funding in the 2012-13 budget for 2 CalFire fire engines at Lake Tahoe.

END CONSENT CALENDAR

DEPARTMENT MATTERS

23. [08-1388](#) Department of Transportation recommending the Board:
1) Authorize the Chair to sign the Notice of Acceptance with Nehemiah Construction, Inc. for the US 50 HOV Lanes, Phase 1 - El Dorado Hills to Bass Lake Grade Project (CIP No. 53110) near El Dorado Hills; and
2) Authorize the Clerk of the Board to release the payment and performance bonds to the surety upon notification from the Department after the one-year guarantee period. (Cont'd 2/14/2012, Item 20) (Est. Time: 5 Min.)

FUNDING: This Project was funded with Corridor Mobility Improvement Account Funds, Congestion Mitigation and Air Quality Program Funds, Regional Surface Transportation Program Funds, Traffic Impact Mitigation Fee Program Funds and Casino Funds. The requested Board action has no fiscal impact.

10:00 A.M. - TIME ALLOCATION

24. [12-0266](#) Chief Administrative Office recommending the Board consider the following regarding the Fiscal Year 2011-12 budget:
- 1) Receive and file Fiscal Year 2011-12 Mid-Year report; and
 - 2) Take action on any related recommendations or discussion associated with the Mid-Year report relative to managing the County budget in the current or future fiscal year. (Est. Time: 1 Hr.)

2:00 P.M. - TIME ALLOCATION

25. [12-0224](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z10-0009/Planned Development PD10-0005/Parcel Map P10-0012/Creekside Plaza on property identified by APNs 327-211-14, 327-211-16, and 327-211-25, consisting of 4.1 acres, in the Placerville area, submitted by GRADO EQUITIES VII, LLC; 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) incorporating the Mitigation Measures in the Conditions of Approval listed in Attachment 1;
 - (3) Approve Z10-0009 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD) based on the Findings listed in Attachment 1;
 - (4) Approve Planned Development PD10-0005, adopting the Development Plan as the official Development Plan, based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - (5) Approve Tentative Parcel Map P10-0012 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - (6) Find the project consistent with General Plan Policy 7.1.2.1 to allow development and disturbance on slopes of 30 percent or greater gradient;
 - (7) Find the project consistent with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to zero, with a portion of the development area within the required setback;
 - (8) Acknowledge the Planning Commission Finding that the General Vacation of portions of the Forni Road Right-of-Way is consistent with the General Plan in accordance with Government Code 65402(a);
 - (9) Staff recommendation to find that a reasonable use determination can be made regarding oak tree retention and General Plan Policy 7.4.4.4; and
 - (10) Adopt Ordinance for said rezone. (Supervisory District 3) (Est. Time: 1 Hr.)

26. [10-1327](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z07-0040/Tentative Map TM07-1454/Special Use Permit S09-0012/Sundance Subdivision on property identified by APNs 104-520-04, 104-520-05, and 104-520-06, consisting of 298.19 acres, in the Pilot Hill area, submitted by Christopher A. Beauchamp; and recommending the Board take the following action:
- 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 Z07-0040 rezoning APNs 104-520-04, 104-520-05, and 104-520-06 from Exclusive Agricultural (AE) to Estate Residential (RE-10) based on the Findings listed in Attachment 1;
 - 4) Conditionally approve Tentative Map TM07-1454 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - 5) Approve Special Use Permit S09-0012 based on the Findings listed in Attachment 1 and based on the movement of the location of the gate as identified;
 - 6) Approve the following design waiver requests since the appropriate Findings have been made:
 - (a) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
 - (b) Permit a reduction in the shoulder width for proposed Road B from 10 feet to two feet as required in the Design and Improvement Standards Manual; and
 - 7) Adopt Ordinance for said rezone. (Supervisory District IV)(Cont'd 2/14/12, Item 30) (Est. Time: 15 Min.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

*El Dorado County Board of Supervisors
Boards and Commission Meetings
February 2012*

FEBRUARY MEETINGS:

- California State Association of Counties - 5/1 - (www.csac.counties.org)
- Evelyn Horn Scholarship Committee 1/4
- Veterans Coordinating Council – 3

MONTHLY MEETINGS:

- Cemetery Advisory Committee - 1 -
(http://www.co.el-dorado.ca.us/Government/Cemetery/Advisory_Committee.aspx)
- Chamber Of Commerce - County - 2/3 - (www.eldoradocounty.org)
- Chamber Of Commerce - South Lake Tahoe - 5/2 - (www.tahoechamber.org)
- Community Action Council – 2 &4&5
- El Dorado Water and Power Authority - Full Board -
(<http://www.edcgov.us/waterandpower/meetings.html>)
- Golden Sierra Job Training Agency - 5/4 - (www.goldensierrawib.com)
- Local Agency Formation Commission - LAFCO - 3&4 /2 - (www.edlafco.us)
- Mental Health Commission – 4 -
(www.co.el-dorado.ca.us/MentalHealth/Mental_Health_Commission_Meetings.aspx)
- Sierra Economic Development Corporation – 5/1 - (www.sedcorp.biz)
- Sierra Planning Organization – 5/1 -
(<http://www.sedcorp.biz/content/partners-affiliated-organizations>)
- Tahoe Conservancy – 5/2 - (www.tahoecons.ca.gov)
- Tahoe Paradise Resort Improvement District – 5
- Tahoe Regional Planning Agency – 5/2 - (www.trpa.org)
- Tahoe Transportation District – 5/2 - (www.tahoetransportation.org)
- Transit Authority – 1&2&3&4 - (www.eldoradotransit.org)
- Transportation Commission – 1&2&3&4 - (www.edctc.org)
- Water Agency – 2&3&4 - (<http://www.co.el-dorado.ca.us/Water/meetings.html>)

Note: The numbers after the commissions' names are the Supervisorial District of the representative and alternate. For example: 5/2 shows the District 5 Supervisor is the representative and District 2 is the alternate. There are a few commissions which have multiple representatives and these have been separated by "&". For example: 3&4/2 shows that Districts 3 & 4 are representatives and District 2 is the alternate.

ADJOURNMENT

CLOSED SESSION

27. 12-0180 Pursuant to Government Code Section 54957: **Conference with Labor Negotiator:** Director of Human Resources and/or designee.
Employee Organizations: El Dorado County Deputy County Counsel Association and El Dorado County Law Enforcement Managers Association. (Est. Time: 20 min.)
28. 12-0269 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Number of potential cases: (1). (Est. Time: 10 Min.)
29. 12-0246 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): In Re El Dorado County Grand Jury, Case #SC20120004. (Est. Time: 10 Min.)
30. 12-0271 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: *United States of America (USA) v. El Dorado County and City of South Lake Tahoe*. Civil Action No. S-01-1520 x-ref: (Meyers Landfill Site). Number of potential cases: (1). (Est. Time: 30 Min.)
31. 12-0272 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Center for Sierra Nevada Conservation, et al., v. County of El Dorado, et al. - El Dorado County Superior Court Case No. PC20080336. (Est. Time: 20 Min.)
32. 12-0228 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Chief Administrative Officer. (Est. Time: 20 Min.) (Cont'd 2/14/12, Item 38)
33. 12-0270 Pursuant to Government Code Section 54957: **Public Employee Appointment:** Title: Agricultural Commissioner / Sealer of Weight & Measures. (Est. Time: 30 Min.)

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 on line) 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)
South Lake Tahoe - Charter Cable 21, Daily - Time varies

ANNOUNCEMENTS

**Congressman McClintock's Office Hours
Human Resources Conference Room
Third Tuesday of each month
10:00 a.m. - Noon**