



County of El Dorado

Board of Supervisors
Department
330 Fair Lane, Building A
Placerville, California
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Minutes - Draft Board of Supervisors

Shiva Frentzen, Chair, District II
Michael Ranalli, Vice-Chair, District IV
Sue Novasel, Second Vice-Chair, District V
John Hidahl, District I
Brian K. Veerkamp, District III

James S. Mitrising, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
Michael J. Ciccozzi, County Counsel

Tuesday, December 12, 2017

8:00 AM

330 Fair Lane, Placerville, CA

County Counsel asked that the Board by a 2/3 vote add Item 41 as a Closed Session item to the Agenda. The need for this item came to the attention of County Counsel subsequent to the Agenda being posted and there is a need to take immediate action. It is a labor negotiation item regarding the Probation Officers Association pursuant to Government Code section 54957.6.

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to add Item 41 to Closed Session. Passed 5-0.

ADDENDUM

There has been a change to the language in Item 33.

Item 39 is hereby added to the Consent Calendar.

Item 40 is hereby added to Closed Session.

Vision Statement

Safe, healthy and vibrant communities, respecting our natural resources
and historical heritage

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To listen to open session portions of the meeting in real time, dial (530) 621-7603. This specialized dial in number is programmed for listening only and is operable when the audio system inside the meeting room is activated. Please be advised that callers will experience silence anytime the Board is not actively meeting, such as during Closed Session or break periods.

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.

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.

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 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.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017 the Board adopted the following protocol relative to public comment periods:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

A total of 20 minutes will be allocated for public comment during Open Forum and for each agenda item to be discussed. Public comment on certain agenda items designated and approved by the Board may be treated differently with specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending upon the nature of the issue.

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Chair of the Board may take the following actions.

- Step 1. Request the person adhere to Board guidelines. If the person refuses, the Chair may ask the Clerk to turn off the speaker's microphone.
- Step 2. If the disruption continues, the Chair may order a recess of the Board meeting.
- Step 3. If the disruption continues, the Chair may order the removal of the person from the Board meeting.

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

Present: 4 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Ranalli and Supervisor Novasel

Absent: 1 - Supervisor Hidahl

9:05 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

Present: 5 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Ranalli, Supervisor Novasel and Supervisor Hidahl

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Father Sean Cox of the Faith Episcopal Church gave the Invocation.

Supervisor Ranalli led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA

A motion was made by Supervisor Veerkamp, seconded by Supervisor Hidahl to Adopt the Agenda with the following change:
Supervisor Novasel recused herself from item 33.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

9:00 A.M. - PRESENTATION

- 1. **15-1382** Supervisor Novasel recommending the Board enjoy the Annual Performance by the El Dorado County Holiday Singers, Directed by Elizabeth Zangari and the Choir of County Employees.

No Formal Action.

APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to Approve the Consent Calendar with the following change:
Supervisor Novasel registered a No vote on item 6.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

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 and the Consent Calendar with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and separate Board action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: T. Craze, M. Lane, L. Allen, J. Adamski, R. Mapes, J. McDoddle

17-1383 OPEN FORUM (See Attachment)

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. The total amount of time reserved for Open Forum is 20 Minutes.

CONSENT CALENDAR

- 2. **17-1332** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of December 5, 2017.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 3. **17-1296** Auditor-Controller recommending the Board:
 - 1) Receive and file attached annual reports as required by SB 165 for Community Facilities District 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2000-1 (CFD 2000-1 South Lake Tahoe Recreation Facilities JPA), Community Facilities District 2001-1 (CFD 2001-1 Promontory), Community Facilities District 2005-1 (CFD 2005-1 Blackstone), Community Facilities District 2005-2 (CFD 2005-2 Laurel Oaks), and Community Facilities District 2014-1 (CFD 2014-1 Carson Creek); and
 - 2) Adopt and authorize the Chair to sign Resolution **181-2017** accepting said reports.

FUNDING: N/A

This matter was Approved and Resolution 181-2017 was Adopted upon Approval of the Consent Calendar.

- 4. **17-1297** Auditor-Controller recommending the Board:
 - 1) Receive Reports of Special Tax Delinquencies for Community Facilities District 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2001-1 (CFD 2001-1 Promontory), and Community Facilities District 2005-2 (CFD 2005-2 Laurel Oaks); and
 - 2) Adopt and authorize the Chair to sign Resolutions **182-2017** (CFD 1992-1 Serrano), **183-2017** (CFD 2001-1 Promontory) and **184-2017** (CFD 2005-2 Laurel Oaks) authorizing judicial foreclosures of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1, and CFD 2005-2 Bond Indentures.

This matter was Approved and Resolutions 182-2017, 183-2017 and 184-2017 were Adopted upon Approval of the Consent Calendar.

5. **17-0584** Chief Administrative Officer recommending the Board approve and authorize the Purchasing Agent to sign Amendment 1 to Funding Agreement 090-F1811 with the El Dorado Arts Council to begin implementation of the Cultural Master Plan, increasing the agreement amount by \$20,000, for a total not-to-exceed amount of \$211,622.
- FUNDING:** Transient Occupancy Tax. (General Fund)
- This matter was Approved on the Consent Calendar.
6. **17-1160** Chief Administrative Office recommending the Board approve **Final Passage** (Second Reading) of Ordinance **5070** rescinding County Ordinance 5040 (not codified) and amending County Ordinance 4832 (not codified) both regarding adoption of Proposition 90 - Property Tax Portability in El Dorado County. (Cont. 12/5/17, Item 41)
- Ordinance 5070 was Adopted upon Approval of the Consent Calendar.**
Supervisor Novasel registered a No vote on this item.
7. **17-1234** Chief Administrative Office recommending the Board adopt and authorize the Chair to sign Resolution **169-2017** accepting the exchange of property tax increments for the annexation of four parcels (APNs 115-400-06, 115-400-07, 115-400-08, and 115-400-09) into the El Dorado Irrigation District service area, Local Agency Formation Commission Project 2017-05.
- FUNDING:** N/A
- Resolution 169-2017 was Adopted upon Approval of the Consent Calendar.**
8. **17-1336** Chief Administrative Office recommending the Board order the Auditor-Controller to process a journal entry transferring the amount of \$40,829.62 from the El Dorado Hills Community Services District Development Impact Mitigation Fee Account (8963117) to the operating account designated by the District.
- FUNDING:** El Dorado Hills Community Services District Development Impact Mitigation Fees.
- This matter was Approved on the Consent Calendar.
9. **16-0924** Clerk of the Board recommending the Board reappoint Ronald Duncan, Technical Expert to the Local Enforcement Agency Independent Hearing Panel for a term ending 12/31/2021.
- This matter was Approved on the Consent Calendar.

- 10. 17-1341** County Counsel recommending the Board:
- 1) Approve and Authorize the Chair to Execute an Agreement for Legal Services between El Dorado County and Abbott & Kindermann, Inc. for Legal Services Associated with the Representation and Defense of the County in the case Rural Communities United v. County of El Dorado, El Dorado County Board of Supervisors, El Dorado County Superior Court Case PC20170536, Petition for Writ of Mandate, California Environmental Quality Act (General Plan Biological Policies Update, Oak Resources Management Plan, Oak Resources Ordinance and In-Lieu Fee); and
 - 2) Approve and authorize the Chair to sign a Budget Transfer transferring \$200,000 from the General Fund Contingency to the County Counsel's budget for contracted legal services. (4/5 vote required).

FUNDING: General Fund. (No Federal Funds)

This matter was Approved on the Consent Calendar.

- 11. 16-0753** FENIX Executive Committee and Project Manager recommending the Board receive and file a status update on implementation of the Enterprise Resource Program.

This matter was Approved on the Consent Calendar.

- 12. 17-1286** Human Resources Department, Risk Management Division recommending the Board approve continuation of perpetual Agreement 191-S1611 with UnitedHealthcare Insurance Company to provide Medicare Advantage plan coverage to eligible retirees of the County of El Dorado for the plan year of January 1, 2018 through December 31, 2018. There is no cost to the County under this Agreement.

FUNDING: Non-financial Agreement.

This matter was Approved on the Consent Calendar.

- 13. 15-1421** Supervisor Novasel recommending the Board adopt and authorize the Chair to sign Resolution **185-2017** acknowledging highway restrictions during the 14th Annual Reno-Tahoe Odyssey Relay Run Adventure, June 1st and 2nd, 2017.

Resolution 185-2017 was Adopted upon Approval of the Consent Calendar.

- 14. 16-0305** Supervisor Ranalli recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of unprecedented tree mortality due to drought conditions and related bark beetle infestations. (Cont. 12/5/17, Item 17)

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

15. 17-0402 Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the First Amendment to Timber Reimbursement Agreement 492-O1711 between the County and RJJ Resource Management Corp, extending the term of the Agreement an additional three years to December 31, 2020, and modifying the rate schedule to increase the unit price paid to the County for Ponderosa Pine, Sugar Pine, Jeffrey Pine, and White Fir timber logs, starting with the effective date of the First Amendment and continuing through the extended term.

FUNDING: Revenue resulting from the Timber Reimbursement Agreement will be used to partially offset the County's costs incurred in removing trees that are dead or dying due to bark beetle infestation. Funding for the removal of such trees is provided by California Disaster Assistance Act Funds (75% - State) and General Fund (25% - Local).

This matter was Approved on the Consent Calendar.

16. 17-1126 Community Development Services, Department of Transportation, recommending the Board consider the following:
1) Approve and authorize the Chair to sign the Notice of Acceptance with Trinity River Construction, Inc., for the 2017 Peavine Ridge Road Failure Project, Contract PW 17-31172, CIP 78708, P&C 210-C1811; and
2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety, upon notification from the Department of Transportation, after the one-year guarantee period.

FUNDING: Local and State discretionary funding initially (100%), with Department of Transportation staff working with the Federal Emergency Management Agency to obtain emergency reimbursement. (State and Federal)

This matter was Approved on the Consent Calendar.

17. 17-1266

Community Development Services, Department of Transportation, recommending the Board approve the following:

1) Award Request for Proposal 18-928-016 for the provision of On-Call Equipment, Truck, and Automotive Body Work and Painting Services to the successful proposers:

- a) Frank's Body Shop, Inc., of Placerville, California; and
- b) G & O Body Shop, Inc., of Placerville, California; and

2) Authorize the Department of Transportation to negotiate Agreements for Service with the two aforementioned businesses, each with a term of three years and a not-to-exceed amount of \$150,000; and

3) Authorize the Purchasing Agent to execute said Agreements, contingent upon County Counsel and Risk Management's review and approval, including minor revisions as required.

FUNDING: Fleet Internal Service Fund. (100% Local)

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 18. 15-1425** Probation Department recommending the Board adopt and authorize the Chair to sign Resolution **186-2017** to:
- 1) Rescind Resolution 016-2016 upon the implementation of Senate Bill 190 and update the consolidated fee schedule to become effective January 1, 2018; and
 - 2) To supersede all previous Probation Department fee schedule Resolutions, excluding Resolution 251-2006, which shall remain unaffected.

FUNDING: Revenue reduction.

This matter was Approved and Resolution 186-2017 was Adopted upon Approval of the Consent Calendar.

- 19. 15-0267** Probation Department recommending the Board:
- 1) Adopt and authorize the Chair to sign Memorandum of Understanding 296-O1810 between the El Dorado County Probation Department and Superior Court of California regarding Collaborative Justice Courts Substance Abuse Focus Grant Program, Fiscal Year 2017/18; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Memorandum of Understanding 296-O1810, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: State Funding - Judicial Council of California.

This matter was Approved on the Consent Calendar.

- 20. 16-1139** Sheriff's Office recommending the Board approve **Final Passage** (Second Reading) of Ordinance **5072** amending Chapter 2.21 regarding emergency operations and functions. (Cont. 12/5/17, Item 34)

FUNDING: N/A

Ordinance 5072 was Adopted upon Approval of the Consent Calendar.

- 21. 17-0071 El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 12/5/17, Item 31)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 22. 17-0184 El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a local state of emergency continues to exist in El Dorado County due to the effects of severe storms, starting on February 6th, throughout Northern California bringing high winds, substantial precipitation, high and fast flowing streams, creeks and rivers, and general flooding. (Cont. 12/5/17, Item 32)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

10:30 A.M. - TIME ALLOCATION

- 23. 17-1331** Chief Administrative Officer recommending the Board:
- 1) Recognize and acknowledge Terri Knowlton, Principal Administrative Analyst, on her retirement from the County of El Dorado after 31 years of dedicated service; and
 - 2) Approve and authorize the Board to sign a Proclamation recognizing Terri Knowlton's dedication to public service and to congratulate her on her retirement. (Est. Time: 10 Min.)

Supervisor Frentzen read the proclamation.

A motion was made by Supervisor Frentzen, seconded by Supervisor Ranalli to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

- 24. 17-1322** Probation Department recommending the Board:
- 1) Recognize Doreen Aultz, Chief Financial Officer, on her retirement from El Dorado County after 31 years of service; and
 - 2) Approve and authorize the Chair to sign a Proclamation recognizing Doreen Aultz's dedication to public service and to congratulate her on her retirement. (Est. Time: 10 Min.)

FUNDING: N/A

Chief Brian Richart read the proclamation.

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

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

11:00 A.M. - TIME ALLOCATION

25. 14-1047

HEARING - Community Development Services, Environmental Management Department, recommending the Board consider the following:

- 1) Adopt and authorize the Chair to sign Resolution **187-2017**, which approves and authorizes the Chair to sign the Third Amendment to the Solid Waste Services Franchise Agreement with Waste Connections of California, Inc., doing business as El Dorado Disposal Service, for providing biweekly green waste cart collection service, May through October of each year, to residential customers located in Franchise Service Area B, Grizzly Flats Community, beginning May of 2018; and
- 2) Adopt and authorize the Chair to sign Resolution **188-2017**, which adjusts the rates upward by \$3.50 per month for each cart size, effective January 1, 2018, to provide biweekly green waste cart collection service in accordance with the Third Amendment to the El Dorado Disposal Service Solid Waste Services Franchise Agreement. (Est. Time: 20 Min.)

FUNDING: User Fees, Franchise Fees. (No Federal Funds)

Public Comment: E. Lory, K. Payne, E. Steinfeld, K. Campbell, T. Craze, S. Vandelinder

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Frentzen, seconded by Supervisor Veerkamp to Adopt Resolutions 187-2017 and 188-2017.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

26. 17-1284 HEARING - Community Development Services, Planning and Building Department, recommending the Board adopt and authorize the Chair to sign Resolution **172-2017**, thereby adopting the 2017 Traffic Impact Mitigation Fee Schedule Update, including the updates for cost adjustments in the Traffic Impact Mitigation Fee Nexus Study. (Est. Time: 15 Min.)

FUNDING: Funding for the Traffic Impact Mitigation Fee Schedule Update is included in the adopted Fiscal Year 2017/18 budget and is provided by the Traffic Impact Mitigation Fee Program and Road Fund.

Public Comment: K. Payne, T. Craze, G. Carpenter

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Ranalli, seconded by Supervisor Frentzen to Adopt Resolution 172-2017 and direct staff to:

- 1) Maximize the funding to El Dorado County with regards to development agreements to offset the impacts of the development; and
- 2) Move forward with a technical update for reconsideration of those Zones 2 and 3 projects be considered for inclusion into Zone 8 which would be due back to the Board by the end of March 2017.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

DEPARTMENT MATTERS (Items in this category may be called at any time)

27. 17-0489 Chief Administrative Office, Facilities Division, recommending the Board conduct a public hearing to:
- 1) Introduce and adopt (uncodified) Ordinance **5074** authorizing a lease agreement for the county-owned building located at 542 Main Street Placerville; and
 - 2) Approve and authorize the Purchasing Agent to sign the attached lease with the El Dorado County Chamber of Commerce for the leasing of the property located at 542 Main Street, Placerville for a term of five years in the sum of One Dollar (\$1) per year. (4/5 vote required) (Est. Time: 10 Min.)

Public Comment: K. Payne, L. Parlin, L. Brent-Bumb, S. Vandelinder, T. Craze, S. Taylor

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to Approve this matter and direct staff to work with the El Dorado County Chamber of Commerce to create a mutually agreed upon maintenance list to be reviewed at each annual inspection of the building by the County.

Yes: 4 - Veerkamp, Ranalli, Novasel and Hidahl

Noes: 1 - Frentzen

- 28. 17-1290** Chief Administrative Office recommending the Board authorize the Chair to execute collection and indemnity agreements with the following special districts, on whose behalf the County has established development impact mitigation fees: Diamond Springs/El Dorado Fire Protection District, Georgetown Fire Protection District, and Cameron Park Community Services District (Parks and Recreation). (Est. Time: 15 Min.)

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

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

- 29. 17-1335** Chief Administrative Office recommending the Board approve the procedure for the allocation of funds for Fiscal Year 2017/18 Community Funding Requests. (Est. Time: 20 Min.)

FUNDING: Department 15 - General Fund Other County Operations.

A motion was made by Supervisor Ranalli, seconded by Supervisor Frentzen to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

1:30 P.M. - TIME ALLOCATOIN**30. 12-1460**

HEARING - Community Development Services, Environmental Management Department, recommending the Board consider the following regarding the solid waste collection rates for the South Tahoe Refuse Co., Inc., Areas A and B:

Find, based on the analysis completed by Crowe Horwath, Inc., that a 9.34% increase to the existing rates to be in accordance with the Base year rate setting process as outlined in the Solid Waste Rate Setting Policies and Procedures Manual; and either:

1) Adopt and authorize the Chair to sign Resolution **189-2017** authorizing an increase to the solid waste collection rates of 9.34%, to be effective January 1, 2018, with the full increase to be applied to the 2018 Base year; or

2) Adopt and authorize the Chair to sign Resolution **190-2017** authorizing an increase to the solid waste collection rates of 9.34%, with 6.26% of the increase applied to the 2018 Base year, to be effective January 1, 2018, and the remaining 3.08% of the increase to be deferred to the 2019 Interim year, to be effective January 1, 2019, in addition to any approved Interim year rate adjustments. (Est. Time: 15 Min.)

FUNDING: User Fees, Franchise Fees. (No Federal Funding)

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Novasel, seconded by Supervisor Ranalli to Adopt Resolution 190-2017 (Option 2) authorizing an increase to the solid waste collection rates of 9.34%, with 6.26% of the increase applied to the 2018 Base year, to be effective January 1, 2018, and the remaining 3.08% of the increase to be deferred to the 2019 Interim year, to be effective January 1, 2019, in addition to any approved Interim year rate adjustments.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

2:00 P.M. - TIME ALLOCATION**31. 17-1215**

Supervisor Ranalli recommending the Board receive a presentation on the El Dorado Forestry Challenge. (Est. Time: 20 Min,)

Received and Filed.

32. 17-1209

HEARING - To consider the recommendation of the Planning Commission on the Ponte Palmero Project (General Plan Amendment A11-0004/Rezone Z11-0005/Parcel Map P11-0004/Planned Development PD11-0003), on property identified by Assessor's Parcel Number 083-350-57 consisting of 19.87 acres in the Cameron Park area, submitted by CPSL SPE DE, LLC; and Planning staff recommending the Board take the following actions:

- 1) Certify the Environmental Impact Report as adequate under the California Environmental Quality Act (Attachments E, F, and G);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment 2D);
- 3) Approve A11-0004 amending the General Plan Land Use designations for Assessor's Parcel Number 083-350-57 from 1.28 acres of Commercial, 18.28 acres of Multifamily Residential, and 0.31 acre of High Density Residential, to 9.23 acres of Commercial and 10.64 acres of Open Space based on the Findings presented (Attachment 2C);
- 4) Approve Z11-0005 rezoning Assessor's Parcel Number 083-350-57 from 1.28 acres of Community Commercial-Planned Development, 18.28 acres of Multi-Unit Residential-Planned Development, and 0.31 acre of Single Unit Residential-Planned Development, to 9.23 acres of Limited Commercial-Planned Development and 10.64 acres of Open Space-Planned Development based on the Findings presented (Attachment 2C);
- 5) Approve P11-0004 subdividing Assessor's Parcel Number 083-350-57 into five lots consisting of three commercial parcels and two open space parcels, ranging in size from 1.17 to 9.47 acres based on the Findings (Attachment 2C), and subject to the Conditions of Approval presented (Attachment 2D);
- 6) Approve PD11-0003 as the official Development Plan for the Ponte Palmero community care facility consisting of three buildings (one per each commercial lot), consisting of a 50,510 square foot, 44-unit community care facility (Parcel 3), a 53,690 square foot, 46-unit assisted living facility (Parcel 2), and a 11,450 square foot clubhouse (Parcel 1) based on the Findings (Attachment 2C), and subject to the Conditions of Approval presented (Attachment 2D);
- 7) Adopt Resolution **191-2017** for said General Plan amendment (Attachment 2A); and
- 8) Adopt Ordinance **5076** for said rezone (Attachment 2B). (Supervisory District 4) (Est. Time: 20 Min.)

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Ranalli, seconded by Supervisor Hidahl to:

- 1) Certify the Environmental Impact Report as adequate under the California Environmental Quality Act (Attachments E, F, and G);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with

- California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment 2D);
- 3) Approve A11-0004 amending the General Plan Land Use designations for Assessor's Parcel Number 083-350-57 from 1.28 acres of Commercial, 18.28 acres of Multifamily Residential, and 0.31 acre of High Density Residential, to 9.23 acres of Commercial and 10.64 acres of Open Space based on the Findings presented (Attachment 2C);
 - 4) Approve Z11-0005 rezoning Assessor's Parcel Number 083-350-57 from 1.28 acres of Community Commercial-Planned Development, 18.28 acres of Multi-Unit Residential-Planned Development, and 0.31 acre of Single Unit Residential-Planned Development, to 9.23 acres of Limited Commercial-Planned Development and 10.64 acres of Open Space-Planned Development based on the Findings presented (Attachment 2C);
 - 5) Approve P11-0004 subdividing Assessor's Parcel Number 083-350-57 into five lots consisting of three commercial parcels and two open space parcels, ranging in size from 1.17 to 9.47 acres based on the Findings (Attachment 2C), and subject to the Conditions of Approval presented (Attachment 2D);
 - 6) Approve PD11-0003 as the official Development Plan for the Ponte Palmero community care facility consisting of three buildings (one per each commercial lot), consisting of a 50,510 square foot, 44-unit community care facility (Parcel 3), a 53,690 square foot, 46-unit assisted living facility (Parcel 2), and a 11,450 square foot clubhouse (Parcel 1) based on the Findings (Attachment 2C), and subject to the Conditions of Approval presented (Attachment 2D);
 - 7) Adopt Resolution 191-2017 for said General Plan amendment (Attachment 2A); and
 - 8) Adopt Ordinance 5076 for said rezone (Attachment 2B). (Supervisory District 4)

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

33. 17-1210

HEARING - To consider the Meyers Area Plan updating the existing Meyers Community Plan, which currently serves as the comprehensive land use and zoning plan for the community of Meyers, consistent with the Lake Tahoe Regional Plan and the El Dorado County General Plan; and Planning staff recommending the Board take the following conceptual actions pending approval by the Tahoe Regional Planning Agency:

- 1) Conceptually approve the Meyers Area Plan;
- 2) Conceptually approve the joint California Environmental Quality Act and Tahoe Regional Planning Agency environmental document consisting of an Initial Study/Mitigated Negative Declaration and Initial Environmental Checklist/Finding of No Significant Effect;
- 3) Conceptually approve a Resolution ~~180-2017~~ to amend the General Plan;
- 4) Conceptually approve an Ordinance ~~5073~~ to revise the County Zoning Ordinance-Title 130; and
- 5) Direct staff to analyze the additional costs required to implement the Meyers Area Plan and to provide the Board with such cost information prior to final action by the Board. (Est. Time: 30 Min.)

Public Comment: S. Teshara

Supervisor Frentzen opened the public hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Ranalli to:

- 1) Conceptually approve the Meyers Area Plan;**
- 2) Conceptually approve the joint California Environmental Quality Act and Tahoe Regional Planning Agency environmental document consisting of an Initial Study/Mitigated Negative Declaration and Initial Environmental Checklist/Finding of No Significant Effect;**
- 3) Conceptually approve a Resolution to amend the General Plan;**
- 4) Conceptually approve an Ordinance to revise the County Zoning Ordinance-Title 130; and**
- 5) Direct staff to analyze the additional costs required to implement the Meyers Area Plan and to provide the Board with such cost information prior to final action by the Board.**

Yes: 4 - Veerkamp, Frentzen, Ranalli and Hidahl

Recused: 1 - Novasel

3:00 P.M. - TIME ALLOCATION

34. 17-1238

Ad Hoc Medical Marijuana Advisory Committee, in coordination with the Chief Administrative Office, recommending the Board:

- 1) Approve Urgency Ordinance **5071**, pursuant to California Government Code sections 65858(b) and 65090, for a temporary ban on commercial licenses for both medical and recreational (adult) cannabis, with the exception of the medical cannabis dispensaries allowed to operate under ordinance 4999, with the ordinance being in effect for forty-five (45) days from the date of adoption, unless extended by the County Board of Supervisors (4/5 vote required); and
- 2) Create a new ad hoc Cannabis Advisory Committee to study and create ballot measures for different cannabis commercial uses tied to taxation for a local election. (Est. Time: 20 Min.)

FUNDING: N/A

Public Comment: R. Miller, A. O'Neil, C. Wall, L. Phillips, D. Schafer, M. Vonn, M. Donnelly

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to approve Urgency Ordinance 5071, pursuant to California Government Code sections 65858(b) and 65090, for a temporary ban on commercial licenses for both medical and recreational (adult) cannabis, with the exception of the medical cannabis dispensaries allowed to operate under ordinance 4999, with the ordinance being in effect for forty-five (45) days from the date of adoption, unless extended by the County Board of Supervisors.

Yes: 5 - Veerkamp, Frentzen, Ranalli, Novasel and Hidahl

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to create a new ad hoc Cannabis Advisory Committee to study and create ballot measures for different cannabis commercial uses tied to taxation for a local election. Appoint Supervisors Ranalli and Novasel to the ad hoc Cannabis Advisory Committee.

Yes: 4 - Veerkamp, Ranalli, Novasel and Hidahl

Noes: 1 - Frentzen

ITEMS TO/FROM SUPERVISORS

Supervisor Hidahl reported on the following:
Capital Southeast Connector Joint Powers Authority meeting.

Supervisor Veerkamp reported on the following:
Camino/Placerville/Apple Hill stakeholders meeting.
Rare plants in the Cameron Park area.
Transit Authority/Transportation Commission meetings.
Fire Chiefs meeting.

Supervisor Novasel reported on the following:
Tahoe Conservancy meeting.
Tahoe Transportation District meeting.
Tahoe Regional Planning Agency meeting.
Emergency Preparedness in Tahoe.
Welcome Leon Abravanel as the Alternate Member for District 5 for the Charter Review Committee.

Supervisor Ranalli reported on the following:
Chamber of Commerce event.
Greater Sacramento award.
Bailey House fundraiser.
Garden Valley Fire fundraising breakfast.
Christmas in Cool.
Music on the Divide.
Tree Mortality Task Force meeting.

Supervisor Frentzen reported on the following:
Local Agency Formation Commission Board meeting.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Quaterly Greater Sacramento board meeting.

ADJOURNED AT 4:20 P.M. in honor of Barry Leeson and Linda Wells.

CLOSED SESSION

- 35. 17-1251 Conference with Legal Counsel - Significant Exposure to Litigation**
pursuant to Government Code Section 54956.9(d)(2). In re claim of
Prentice, Long & Epperson, P.C., Number of potential cases: (1). (Est. 15
Min.)

No Action Reported. All five Supervisor participated

- 36. 17-1328 Conference with Legal Counsel - Significant Exposure to Litigation**
pursuant to Government Code Section 54956.9(d)(2). Title: Number of
potential cases: (1). (Est. Time: 10 Min.)

No Action Reported. All five Supervisor participated

- 37. 17-1342 Pursuant to Government Code Section 54956.8 - Conference with
Real Property Negotiator: Conference with Real Property
Negotiator:** This body will hold a closed session to give instructions to its
negotiator for the Silver Springs Parkway to Bass Lake Road - South
Segment Project (CIP No. 76108) regarding the real properties
described as follows:

- 1) APN 115-030-04: John Nojan Khoshcar, a married man as his sole
and separate property (John Khoshcar, Negotiator);
- 2) APN 115-030-15: Daniel Pierce, a married man, as his sole and
separate property, as to an undivided 50% interest and Emily
Duby-Pierce, a married woman, as her sole and separate property, as to
an undivided 50% interest, together as tenants in common (Daniel Pierce
and Emily Duby-Pierce, Negotiators);
- 3) APN 115-030-16: Carl E. Pohto and Laura E. Pohto, his wife as joint
tenants (Carl and Laura Pohto, Negotiators);
- 4) APN 115-030-03: Martin Szegedy a married man, as his sole and
separate property (Martin Szegedy, Negotiator); and
- 5) No APN Remnant Parcel directly east of APN 115-030-15 (no owner of
record).

Instructions to El Dorado County's negotiator will concern price and terms
of payment. Kyle Lassner, Right of Way Supervisor, will be the negotiator
on behalf of El Dorado County. The parties with whom El Dorado
County's negotiator may negotiate are those parties identified above and
their agents and successors. (Est. Time: 20 Min.)

No Action Reported. All five Supervisor participated

38. 17-1148

Pursuant to Government Code Section 54957- Public Employee Performance Evaluation. Title: Director of Transportation. (Est. Time: 15 Min.)

No Action Reported. All five Supervisor participated

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual 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.

Digital Recordings 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)

ADDENDUM

There has been a change to the language in Item 33.

GENERAL GOVERNMENT - CONSENT ITEMS

- 39. 17-1350** Supervisor Novasel recommending the Board make the following appointment to the Charter Review Committee:
District Five: Alternate Member - Leon Abravanel.
This matter was Approved on the Consent Calendar.

CLOSED SESSION

- 40. 15-0803** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported. All five Supervisor participated