



# County of El Dorado

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## MEETING AGENDA

### Board of Supervisors

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

*James S. Mitrison, Clerk of the Board of Supervisors*  
*Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel*

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Tuesday, October 29, 2013

8:00 AM

Board of Supervisors Meeting Room

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#### Vision Statement

**"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."**

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us).

Public Testimony will be received on each agenda item listed under Department Matters as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

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

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

#### **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR**

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

#### **OPEN FORUM**

#### **CAO UPDATE**

**CONSENT CALENDAR 1**

1. [13-0280](#) Chief Administrative Office recommending the Board authorize the Chair to execute Agreement No. 287-F1411 with the El Dorado Community Foundation to distribute Transient Occupancy Tax (TOT) funds in the amount of \$97,400 for Veterans programs in accordance with the Board's direction on August 27, 2013 (Item 35).

**FUNDING:** Transient Occupancy Tax.

2. [13-1360](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board receive and file a report on procurement and contracting activity for Fiscal Year 2012-13.
3. [13-1190](#) Chief Administrative Office, Risk Management Division, recommending the Board consider the following:
  - 1) Approve the implementation plan for the 2014 Health Benefit program;
  - 2) Approve the Operating Engineers Local 3 Trust Contribution rates for 2014; and
  - 3) Authorize the Purchasing Agent to execute the contract with HealthEquity Inc. for the administration of the Health Savings Account (HSA) and the Flexible Spending Account (FSA) programs.

**FUNDING:** Internal Service Fund - Risk Management Health Fund.

4. [13-1310](#) Clerk of the Board recommending the Board receive and file the Fiscal Year 2013/2014 Board of Supervisors district expenditures summary report for the period of July 1, 2013 through September 30, 2013.
5. [13-1291](#) Community Development Agency, Transportation Division, recommending the Board adopt Resolution **160-2013** sanctioning the closure of roads in the Apple Hill area of Camino on Sunday, November 3, 2013, between 7:00 a.m. and 11:15 a.m., for the 34th Apple Hill Harvest Run Event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the Application for Road Closure.

6. [13-0917](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work to be performed under this Agreement that are not expressly identified in County job classifications; and
  - 2) Authorize the Chair to sign the Agreement for Services No. 157-S1411 with Mark Thomas & Company, Inc. in an amount not to exceed \$338,000 to provide design support services during construction for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328, for a term commencing upon execution of the Agreement to the latter of the County's recordation of Notice of Acceptance for the Project or the resolution of all construction claims, if any, associated with the Project.

**FUNDING:** 2004 General Plan Silva Valley Interchange Set-Aside, Silva Valley Interchange Set-Aside, Highway 50 TM 99-1359 fees, El Dorado Irrigation District Reimbursement, and Developer advanced funds. Developer advanced funds shall be provided by West Valley, LLC, in accordance with the Conditions of Approval for West Valley Village Tentative Map TM 99-1359, Condition of Approval No. 26 dated January 22, 2004.

7. [10-1202](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign retroactive funding Agreement No. 108-F1411(CDPH Grant Contract Number 13-20125) with the California Department of Public Health in the amount of \$37,893 to provide Human Immunodeficiency Virus or Acquired Immunodeficiency Syndrome surveillance activities for a term of July 1, 2013 through June 30, 2016; and
  - 2) Authorize the Chief Administrative Officer or designee to execute further documents relating to Agreement No. 108-F1411, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement and further authorize the Director of the Health and Human Services Agency, or successor, to continue to administer Agreement for Services No. 108-F1411 and execute any subsequent documents relating to said Agreement including required fiscal and programmatic reports.

**FUNDING:** State General Funds through the California Department of Public Health, Office of AIDS.

8. [11-1400](#) Health and Human Services Agency recommending the Board consider the following:
- 1) Receive and file the Annual Domestic Violence Shelter Based Program Annual Certification Reports in accordance with Welfare and Institutions Code Section 18293 (h); and
  - 2) Receive and file the Domestic Violence Support Services Reports from Live Violence Free, Inc., and The Center for Violence-Free Relationships, Inc., in accordance with Welfare and Institutions Code Section 18300 for Fiscal Year 2012-13.

**FUNDING:** County marriage license revenue (\$23 per license) in accordance with Welfare and Institutions Code Section 18293 (d) plus a portion of payments made by persons granted probation for crimes against victims of domestic violence.

9. [13-0474](#) Health and Human Services Agency, Public Health Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign Amendment I to Agreement 034-S1411 with California Forensic Medical Group to provide health care services in the County jails and juvenile detention facilities, revising language in Article III "Compensation" and add Article XXVIV "Access to Records," with no change to the term July 1, 2013 through June 30, 2018 nor to the maximum contractual obligation of \$3,086,493 for fiscal year 2013-14; and
  - 2) Authorize the Purchasing Agent or designee to execute further documents relating to Agreement for Services 034-S1411, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

**FUNDING:** General Fund.

10. [13-1205](#) Surveyor's Office recommending the Board adopt Resolution of Vacation **159-2013** for Abandonment of Easement (AOE) No. 2013-009 to abandon a portion of the public utility & drainage easements on Lot 157 of Village H, Unit No. 6B recorded at Book I of Subdivisions at Page 78, identified as Assessor's Parcel No. 123-200-08, requested by Terry Andersen and Tracy Ann Harris.

11. [13-1298](#) Treasurer-Tax Collector's Office recommending the Board authorize the issuance of a business license to Sandra L. Helms operating a fortunetelling/psychic reading business in the Placerville area.

12. [13-1321](#) Treasurer-Tax Collector recommending the Board approve Amendment II to Agreement for Services No. 030-S0211 to correct the name of the vendor from PCI, Inc. to PCI, LLC.
  
13. [13-1377](#) County Counsel recommending the Board authorize the Chair to sign an amendment to its existing legal services contract with the law firm of Hanson Bridgett to clarify the scope of services for advisory and litigation legal services related to ethics and conflicts of interest. The contract is not being amended in any other way.

**CONSENT CALENDAR 2**

14. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Minutes for the regular meeting of Tuesday, October 22, 2013.
15. [13-0005](#) District Attorney's Office recommending the Board consider the following:  
1) Adopt Resolution **162-2013** authorizing the District Attorney to execute Grant Agreement No. DI1406 with the Office of Traffic Safety for the Alcohol and Drug Impaired Vertical Prosecution Program for the Federal Fiscal Year 2013-14 in the amount of \$344,003 with no matching requirement; and  
2) Adopt Resolution **163-2013** authorizing the District Attorney to execute Grant Agreement No. AL1421 with the Office of Traffic Safety for the DUI Avoid Campaign for the Federal Fiscal Year 2013-14 in the amount of \$88,257 with no matching requirement.
16. [13-0596](#) District Attorney recommending the Board authorize the Chair to sign the following Memorandums of Understanding (MOU) for the term October 1, 2013 thru September 30, 2014 in support of the Holiday Driving Under the Influence Program - "Avoid the 6 Program", a cooperative effort to reduce alcohol related injury and fatal traffic collisions in El Dorado County:  
1) MOU No. 237-M1411 between the District Attorney and the Probation Department;  
2) MOU No. 238-M1411 between the District Attorney and the El Dorado County Sheriff's Office;  
3) MOU No. 239-M1411 between the District Attorney and the South Lake Tahoe Police Department; and  
4) MOU No. 240-M1411 between the District Attorney and the Placerville Police Department.

**FUNDING:** California Office of Traffic Safety - Grant No. AL1396.

**END CONSENT CALENDAR**

**10:00 AM - TIME ALLOCATION**

17. [13-0546](#) Supervisor Briggs recommending the Board receive a presentation provided by representatives of the Sierra Nevada Conservancy on the Sierra Nevada Conservancy Proposition 84 Grant Program and the projects within the County of El Dorado that received grant awards. The presentation will include information on other Sierra Nevada Conservancy initiatives, including the Sierra Nevada Forest and Community Initiative; Geotourism; and the Great Sierra River Clean Up.

**DEPARTMENT MATTERS**

18. [12-0078](#) Hearing to consider the recommendation of the Planning Commission on General Plan Amendment A13-0007/2013-2021 Housing Element; and recommending the Board consider the following:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
  - 2) Approve General Plan Amendment A13-0007 amending the General Plan to incorporate the 2013-2021 Housing Element Update based on Findings listed in Attachment 1; and
  - 3) Adopt Resolution **161-2013** for said General Plan Amendment.

**FUNDING:** General Fund.

19. [13-1218](#) Community Development Agency, Long Range Planning Division, providing the Board with a Long Range Planning update.



**2:00 PM - TIME ALLOCATION**

20. [13-1340](#) Supervisor Nutting recommending the Board consider the following:  
1) Direct the CAO to bring back a status report on the motion that was approved by the Board on October 18, 2011, Item 11-1184, on the adoption of a policy regarding bullying and workplace violence;  
2) Direct the CAO to craft a confidential feedback mechanism, including but not limited to willing/voluntary interviews or surveys with former and current County employees to determine if there is an underlying systemic problem; and  
3) If it is determined a problem exists, direct the CAO to bring back a corrective action plan to address this problem. (Refer 10/22/13, Item 33)
21. [13-0024](#) Community Development Agency, Development Services Division, providing findings for denial of Zone Change Z11-0007 and Tentative Map TM11-1504, Wilson Estates based on the conceptual action of the Board of Supervisors on October 22, 2013. (Cont. 10/22/13, Item 36)
22. [13-1303](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z12-0005/Thomson on property identified by APN 325-080-16, consisting of 27.68 acres, in the Placerville Periphery area, submitted by Alex Thomson and recommending the Board take the following actions:  
1) Adopt the Negative Declaration based on the Initial Study prepared by staff;  
2) Approve Z12-0005 rezoning APN 325-080-16 from One-Acre Residential (R1A) to Planned Agriculture (PA) based on the Findings listed in Attachment 1; and  
3) Adopt Ordinance **5002** for said rezone. (Supervisory District 4) (Est. Time: 30 Min.)
23. [13-1068](#) Community Development Agency, Development Services Division and Transportation Division, recommending the Board consider the following regarding the Bass Lake Hills Specific Plan Public Facilities Financing Plan:  
1) Receive an update from staff; and  
2) Direct staff to continue working with the applicant and return with the Public Facilities Financing Plan (PFFP) for the Bass Lake Hills Specific Plan (BLHSP) on November 12, 2013 for possible action.

**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

**CLOSED SESSION**

24. [13-1322](#) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Jack Hughes of Liebert, Cassidy, Whitmore; Director of HHS and/or designee.  
Non-employee organization: In-Home Supportive Services (IHSS).  
(Est. Time: 20 Min.)
25. [13-1357](#) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee and Jack Hughes of Liebert, Cassidy, Whitmore.  
Unrepresented Employee: Unrepresented Employees covered under the Salary and Benefits Resolution for Unrepresented Employees, No. 323-2001, and all amendments thereto. (Est. Time: 20 Min.)
26. [13-1358](#) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee and Jack Hughes of Liebert, Cassidy, Whitmore.  
El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 20 Min.)
27. [13-1382](#) **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Title: Retention of law firm Hanson Bridgett to represent County in any litigation concerning testimony of County Counsel regarding communications with County staff. Number of potential cases: (1). (Est. Time: 5 Min.)
28. [13-1375](#) **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Human Resources Director  
(Est. Time: 15 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 online) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)

**ANNOUNCEMENTS**

**Special Meeting of the Board of Supervisors  
October 28, 2013**

**No Board of Supervisors Meeting  
November 19, 2013**

**No Board of Supervisors Meeting  
November 26, 2013**

**No Board of Supervisors Meeting  
December 31, 2013**