



# County of El Dorado

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## 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*

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Tuesday, February 7, 2012

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.

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](http://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, January 31, 2012.
2. [11-0468](#) Clerk of the Board of Supervisors recommending the Board receive and file the FY 11/12 Second Quarter Expenditures report for the Board of Supervisors District Budgets. (Refer 11/15/11, Item 4)

3. [12-0089](#) Chief Administrative Office recommending the Board authorize the Chair to sign Amendment I to Agreement for Services #115-F1011 with the El Dorado County Fire Safe Council for fire prevention and planning services as described in Title III of Public Law 110-343.

**FUNDING:** Federal Title III Funds through the Secure Rural Schools and Community Self Determination Act.

4. [09-0882](#) Chief Administrative Office, Office of Economic Development, recommending the Board approve and authorize the Chair to sign Contract Modification No. 4 to Contract K178658-031 with Golden Sierra Workforce Investment Board to modify the contracts as July 1, 2010 - April 30, 2012 for the Vital Assets grant. (Refer 6/30/09, Item 43)

**FUNDING:** Grant Funding.

5. [12-0175](#) Health and Human Services Agency requesting the Board consider the following:
- 1) Authorize the Chair to sign Agreement No. 417-S1210 with Robert Hartmann, M.D., for Interim Health Officer services for a period of not more than one year, with a not-to-exceed amount of \$36,000, contingent upon review and approval by County Counsel and Risk Management;
  - 2) Appoint Robert Hartmann, M.D. to serve as the Interim Public Health Officer/Local Registrar for Vital Statistics in accordance with Agreement No. 417-S1210 approved by the Board; and
  - 3) Find it in the best interest of the County to waive the requirements of Health & Safety Code § 24001 pertaining to an individual's eligibility for appointment as County officer.

**FUNDING:** Public Health Realignment.

6. [12-0137](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt a resolution authorizing the Chair to sign Agreement 11C-1807 with the California Department of Community Services and Development in the amount of \$39,418 for provision of Department of Energy Weatherization Assistance Program (WAP) services during the period of December 1, 2011 through June 30, 2012. The Resolution further authorizes the Director of Health and Human Services, or successor, or the Chief Assistant Director, or successor, to execute subsequent documents relating to said Agreement, including one or more amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, to sign subsequent required fiscal and programmatic reports and to perform any and all administrative responsibilities in relationship to said Agreement.

**FUNDING:** Federal WAP Grant Funds.

7. [12-0051](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Agreement 322-F1211 (11-10405) with the California Department of Public Health in the amount of \$60,000 for the term July 1, 2011 through June 30, 2014, for the purpose of providing State funding for the Childhood Lead Poisoning Prevention Program.

**FUNDING:** State funding.

8. [12-0132](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign Agreement for Services 308-S1211 with James N. Hardwick dba New Leaf Counseling Services in the not-to-exceed amount of \$100,000 during the term of February 28, 2012 through February 27, 2015 for the provision of therapeutic counseling, in-patient and out-patient substance abuse treatment services, substance abuse testing and other related services, on an "as requested" basis for clients referred by the Health and Human Services Agency, Social Services Division.

**FUNDING:** 85% Federal/State Social Services funding with required 15% County share of costs met primarily with realignment resources.

9. [12-0095](#) Sheriff's Office recommending the Board:
- 1) Adopt a resolution authorizing the Sheriff to act as the agent to execute the Agreement with the City and County of San Francisco for receipt of Interoperable Emergency Communications Grant Program funds from the Bay Area Urban Area Approval Authority for the purchase of interoperable communications equipment retroactive for the term November 1, 2011 through December 31, 2012 , and
  - 2) Approve a budget transfer establishing revenue and expenses for use of the Interoperable Emergency Communication Grant Program grant funds. (4/5 vote required)

**FUNDING:** Homeland Security Grant Funds.

10. [09-0147](#) Sheriff's Office, in conjunction with the District Attorney's Office, recommending the Board authorize the Chair to sign Amendment IV to Agreement #714-S0811 with TracNet Corporation modifying the software to work in conjunction with an interface between the Sheriff's Office and the District Attorney's Office, and increase the maximum obligation of the agreement by \$14,000. (Refer 6/14/11, Item 25)

**FUNDING:** AB109 Prison Realignment Funds.

11. [11-1140](#) Department of Transportation recommending the Board authorize the Chair to sign the Right of Way Contract - State Highway Contract with the State of California Department of Transportation, the Easement Deed and the Temporary Easement Deed for APN 331-171-23 for a drainage improvement project which is located on County-owned property in the Townsite of El Dorado.

12. [12-0184](#) Supervisor Sweeney recommending the Board appoint Betty Linville to the Commission on Aging for a term ending January 2013.

13. [12-0182](#) Supervisor Santiago recommending the Board adopt a Resolution approving the use of State Highways 89 and 50 for the 8th annual Reno-Tahoe Odyssey Relay Run Adventure June 1 and 2, 2012.

14. [12-0181](#) Supervisor Santiago and the South Lake Tahoe Mental Health Commission representatives recommending the Board appoint Michael Pickens to the El Dorado County Mental Health Commission for a term to expire January 1, 2015.

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

15. [12-0026](#) County Counsel recommending a hearing to consider the best course of action that meets the needs and interests of the County with regard to West Valley Village Subdivision Improvement Agreements, Units 1B, 3A, 3B, 4, 5A, 6A, 6B, 6C, and 7B, which are currently outside the performance period contained in the agreements. (Est. Time: 5 Min.) (Cont'd 1/10/12, Item 17)
16. [12-0045](#) Health and Human Services Agency, Community Services Division, requesting the Board consider the following recommendations regarding the 40-unit affordable workforce rental housing project known as Sunset Lane Apartments, proposed by Mercy Housing California 55, a California Limited Partnership, division of Mercy Housing California:
- 1) Authorize the Director of the Health and Human Services Agency, or successor, to execute the Loan Agreements, Development Agreements, Promissory Notes, Regulatory Agreements, Deeds of Trust With Assignment of Rents, and all other documents necessary to issue the loan to, service the loan for, and collect loan repayments from Mercy Housing California 55 for the development of the Sunset Lane Apartments in Shingle Springs, California up to \$483,000 from Community Development Block Grant Loan 10-STBG-6711 and up to \$3,000,000 from Home Investment Partnership Grant Loan 11-HOME-6952, pending County Counsel and Risk Management approval; and
  - 2) Authorize the Auditor-Controller's Office to process check requests to disburse funds which will be offset by corresponding amounts from the above loan grants. (Cont'd 1/24/12, Item 21)(Est. Time: 15 Min.)

**Note:**

The CDBG and HOME loan documents are currently under review by County Counsel. However, all lenders and the equity investor associated with the Sunset Lane project have the opportunity to review the loan documentation of all other lenders. It is possible that the County may receive comments about its loan documents prior to close of escrow on the property and execution of the loan documents. Any necessary changes to the loan documents would be provided to County Counsel and Risk Management for review and approval prior to execution.

**FUNDING:** Community Development Block Grant and Home Investment Partnership Grant Loan.

17. [12-0037](#) Acting as the Board of Directors for the El Dorado County Public Housing Authority:

The El Dorado County Public Housing Authority requesting the Board consider the following recommendations regarding the 40-unit affordable workforce rental housing project known as Sunset Lane Apartments, proposed by Mercy Housing California 55, a California Limited Partnership, division of Mercy Housing California:

- 1) Authorize the Executive Director of the El Dorado County Public Housing Authority (EDCPHA), or successor, to execute the Loan Agreement, Promissory Note, Deed of Trust With Assignment of Rents, and all other documents necessary to issue the loan to, service the loan for, and collect loan repayments from Mercy Housing California 55 for the development of the Sunset Lane Apartments in Shingle Springs, California up to \$1,400,000 under the California Housing Finance Authority Loan Agreement HELP-022607-02; and
- 2) Authorize the Auditor-Controller's Office to process check requests to disburse funds which will be offset by corresponding amounts from the above loan grant. (Cont'd 1/24/12, Item 22) (Est. Time: 15 Min.)

Note: The CalHFA loan documents have been approved by County Counsel and Risk Management. However, all lenders and the equity investor associated with the Sunset Lane project have the opportunity to review the loan documentation of all other lenders. It is possible that the EDCPHA may receive comments about its loan documents prior to close of escrow on the property and execution of the loan documents. Any necessary changes to the EDCPHA's loan documents would be provided to County Counsel and Risk Management for review and approval prior to execution.

**FUNDING:** California Housing Finance Authority Housing Enabled by Local Partnerships funds.

#### 10:00 A. M. - TIME ALLOCATION

18. [12-0187](#) Supervisor Santiago and the Economic Development Advisory Committee (EDAC) recommending the Board approve and authorize Chair's signature on a posthumous Proclamation honoring Gene E. Thorne, Civil Engineer, February 20, 1945 - January 10, 2012. (Est. Time: 5 Min.)

19. [11-1452](#) Hearing to:
- 1) Consider introduction (First Reading) of an Ordinance pertaining to Chapter 9.55 of the El Dorado County Ordinance Code: Prohibition of Registered Sex Offenders From Entering County Parks, Schools, and Other Areas Where Children Congregate. Ordinance sponsored by Dr. Vickie Barber, Superintendent, El Dorado County Office of Education, John D'Agostini, Sheriff, El Dorado County, and Vern Pierson, District Attorney, El Dorado County and;
  - 2) Continue the item to the next regular meeting for the second reading of the Ordinance. (Est. Time: 15 Min.)

#### **12:00 NOON - 2:00 P.M. - LUNCH**

**Board of Supervisors to attend an informational luncheon and presentation with the El Dorado County Fair Board of Directors at the El Dorado County Fairgrounds, located at 100 Placerville Drive in Placerville, California.**

#### **2:00 P.M. - TIME ALLOCATION**

20. [08-1466](#) **Department is requesting that this item be continued.**  
Hearing to consider the adoption of a Resolution amending the 2004 General Plan Traffic Impact Mitigation Fee Program and Revised Traffic Impact Mitigation Fee Rates. (Est. Time: 5 Min.)
21. [12-0138](#) **Appellant is requesting this item be continued. (See legislative file attachment F.)**  
Hearing to consider a request submitted by Dena Kohutec appealing the Development Services Department Hearing Officer's Administrative Order rescinding the Administrative Citation issued on November 1, 2011 (C #202530/Olmstead) dated December 15, 2011 on property identified by APN 093-200-05, consisting of 0.62 acre, in the Somerset area, Supervisorial District 2. (Est. Time: 5 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](http://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](http://www.co.el-dorado.ca.us/Government/Cemetery/Advisory_Committee.aspx))
- Chamber Of Commerce - County - 2/3 - ([www.eldoradocounty.org](http://www.eldoradocounty.org))
- Chamber Of Commerce - South Lake Tahoe - 5/2 - ([www.tahoechamber.org](http://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](http://www.goldensierrawib.com))
- Local Agency Formation Commission - LAFCO - 3&4 /2 - ([www.edlafco.us](http://www.edlafco.us))
- Mental Health Commission – 4 -  
([www.co.el-dorado.ca.us/MentalHealth/Mental\\_Health\\_Commission\\_Meetings.aspx](http://www.co.el-dorado.ca.us/MentalHealth/Mental_Health_Commission_Meetings.aspx))
- Sierra Economic Development Corporation – 5/1 - ([www.sedcorp.biz](http://www.sedcorp.biz))
- Sierra Planning Organization – 5/1 -  
(<http://www.sedcorp.biz/content/partners-affiliated-organizations>)
- Tahoe Conservancy – 5/2 - ([www.tahoecons.ca.gov](http://www.tahoecons.ca.gov))
- Tahoe Paradise Resort Improvement District – 5
- Tahoe Regional Planning Agency – 5/2 - ([www.trpa.org](http://www.trpa.org))
- Tahoe Transportation District – 5/2 - ([www.tahoetransportation.org](http://www.tahoetransportation.org))
- Transit Authority – 1&2&3&4 - ([www.eldoradotransit.org](http://www.eldoradotransit.org))
- Transportation Commission – 1&2&3&4 - ([www.edctc.org](http://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**

22. 12-0178 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.)
23. 12-0190 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 #PC20080336.  
(Est. Time: 20 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

**ADDENDUM****CLOSED SESSION**

24. 12-0197 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Director of Health and Human Services. (Est. Time: 30 Min.)
25. 12-0200 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Number of potential cases: (1). (Est. Time: 30 Min.)
26. 12-0199 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Number of potential cases: (1). (Est. Time: 15 Min.)
27. 12-0198 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Pereira v. El Dorado County, et al., U.S. District Court, Case #S:12-CV-00252-WBS-JFM. (Est. Time: 15 Min.)

**ANNOUNCEMENTS**

**Monday, February 27, 2012**

**Special Meeting**

**Closed Session - 8:00 a.m. - Traffic Impact Mitigation Fees (TIM)**

**Open Session - 10:00 a.m. - Animal Control, and**

**1:30 p.m. Targeted General Plan Amendment, Traffic Model Update and Zoning Ordinance Code.**

**OTHER ANNOUNCEMENTS**

**Veterans' Day Ceremony Video to play during the lunch break.**

**Congressman McClintock's Office Hours**

**Human Resources Conference Room**

**Third Tuesday of each month**

**10:00 a.m. - Noon**