



County of El Dorado

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

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

Tuesday, February 26, 2013

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>

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.

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. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, February 12, 2013 and the Special Meeting of Tuesday, February 19, 2013.

2. [13-0159](#) Agriculture, Weights and Measures recommending the Board adopt Resolution **022-2013** authorizing the Auditor-Controller to establish a non-interest bearing fund for the Agriculture, Weights and Measure's Department for the receipt and disbursement of the mandatory state imposed administrative fee established by California Business and Professions Codes Section 12241, 12242, 12246 and California Code of Regulations, Title 4 Division 9, Chapter 3, Sections 4075 established Annual Device Administrative Fee, Table A, effective January 1, 2013.

3. [13-0142](#) Fair Manager recommending the Board authorize the Chair to sign the 2013 El Dorado County Fair Budget in the amount of \$1,072,263 as previously approved by the El Dorado County Fair Board of Directors at their December 5, 2012 meeting.

FUNDING: No county funds are included in the Fair Association budget.

4. [12-1491](#) Health and Human Services Agency recommending the Board consider the final passage (Second Reading) of Ordinance **4991** amending Chapter 8.74 of Title 8 of the County of El Dorado Code of Ordinances pertaining to emergency and non-emergency ambulance and medical transport services. (Refer 1/15/2013, Item 11)

5. [13-0105](#) Health and Human Services Agency, Community Services Division, recommending the Board conceptually approve submittal of a Community Development Block Grant (CDBG) application to the California Department of Housing and Community Development pursuant to the FY 2013-14 Notice of Funding Availability, in order to secure a grant in an amount up to a maximum of \$1,000,000 to provide additional funding resources for the County's ongoing Housing Rehabilitation and Homeownership Assistance Loan Programs.

FUNDING: Federal CDBG Grant Funds.

6. [13-0128](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt Resolution **017-2013**:
- 1) Authorizing the Chair to execute Agreement 13F-3009 and the accompanying Contractor Certification Clauses CCC 307 with the California Department of Community Services and Development for the period January 1, 2013 through December 31, 2013 for Program Year 2013 Community Services Block Grant funds in the initial amount of \$72,737;
 - 2) Authorize the Health and Human Services Agency Director or the Chief Assistant Director, or their successors, to execute further documents relating to said Agreement, including one or more amendments thereto, contingent upon review and approval by County Counsel and Risk Management, that collectively increase the dollar amount by \$196,879 up to the total estimated 2013 allocation of \$269,616, as well as other amendments that do not alter the total maximum dollar amount or term; and
 - 3) Authorize the Health and Human Services Agency Director or the Chief Assistant Director, or their successors, to sign subsequent required fiscal and programmatic reports and perform all administrative responsibilities in relationship to the Agreement.

FUNDING: Federal Community Services Block Grant (CSBG) funds.

7. [13-0095](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign retroactive Agreement for Services 222-S1311 with Sierra Foothills AIDS Foundation, Inc., for the provision of medical case management and supportive care services for persons living with Human Immunodeficiency Virus or Acquired Immunodeficiency Syndrome. This Agreement is for the term of July 1, 2012 through June 30, 2015 with a not-to-exceed amount of \$450,074.

FUNDING: Federal Ryan White Comprehensive Acquired Immunodeficiency Syndrome Resources Emergency Act.

8. [13-0096](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign perpetual Agreement No. 146-O1310 with California Shock/Trauma Air Rescue (d.b.a. CALSTAR) to become effective March 1, 2013 and continue until terminated by one of the parties thereto for the provision of air ambulance transport services. This Agreement satisfies one of the requirements for an Emergency Medical Services Agency to integrate air transport into its prehospital patient transportation system in accordance with California Emergency Medical Services Law, Health and Safety Code, Division 2.5, and California Code of Regulations Title 22, Division 9.
9. [13-0020](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign a Budget Transfer shifting existing revenues in the amount of \$1,924,334 from the Division's operating budget to the Local Revenue Fund 2011 Behavioral Health Subaccount, as well as increasing revenues and appropriations by \$219,518 based on actual funding to be received from the State. (4/5 vote required)
- FUNDING:** Local Revenue 2011.
10. [13-0167](#) Information Technologies recommending the Board authorize the Chair to sign Agreement No. 413-S1311 with AT&T for VeraSMART Call Accounting Hosted Services in the amount not to exceed \$246,200 for a five year term.
11. [11-0842](#) Sheriff's Office recommending the Board authorize the Chairman to sign Amendment I to Facility Use Agreement No. 208-01111 (FUA) with the El Dorado County Fire Protection District for an additional two-year term for the period March 1, 2013 through February 28, 2015, at no charge, for the use of the property on Fort Jim Road in Placerville for the Sheriff's Search and Rescue Station.
12. [13-0124](#) Sheriff's Office recommending the Board authorize the Chairman to sign a perpetual Agreement with Amador County for the provision of Jail services at the Jail facilities operated by the El Dorado County Sheriff's Office in South Lake Tahoe and Placerville at the rate of \$90 per inmate per day.

13. [13-0129](#) Sheriff's Office recommending the Board consider the following:
- 1) Authorize the Purchasing Agent to waive the formal bid process and make this sole source purchase;
 - 2) Authorize the sole source purchase of a Lenco Armored Rescue Vehicle, AKA BearCat, in an amount not to exceed \$291,399.12;
 - 3) Authorize the Sheriff or designee to sign Lenco Quotation 9964A;
 - 4) Authorize the Chairman to sign a Budget Transfer to transfer \$100,000 in State Asset Forfeiture funds and \$191,399.12 in Federal Asset Forfeiture funds to the Sheriff's operating budget, increasing revenues and appropriations by \$291,399.12. (4/5 vote required)

FUNDING: Sheriff's State and Federal Asset Forfeiture Funds.

14. [12-1311](#) Sheriff's Office recommending the Board authorize the Chair to sign a retroactive Reimbursement Agreement (309-F1311) between the County of El Dorado and the City of South Lake Tahoe to reimburse the City of South Lake Tahoe for the South Lake El Dorado Narcotics Enforcement Team (SLEDNET) Task Force Commander's Salary and benefits for the period August 1, 2012 to May 31, 2013 in the not-to-exceed amount of \$82,250.

FUNDING: California Multi-Jurisdictional Methamphetamine Enforcement Team (CaMMET) Funding.

15. [11-0590](#) Transportation recommending the Board authorize the Chair to sign the First Amendment to Agreement for Services 069-S1211 changing the ownership from Republic ITS, Inc. to Siemens Industry, Inc.; amending Article I, Scope of Services and Article III, Compensation for Services to include annual Conflict Monitoring Unit and Malfunctioning Monitoring Unit testing and certification to the services provided under the Agreement with no change to the original contract amount or term.

FUNDING: Road Fund.

16. [12-0871](#) Transportation recommending the Board authorize the Chair to sign the First Amendment to Agreement for Services No.109-S1311 with The Hanna Group to provide construction support services, amending Article I, Scope of Services, to remove a subconsultant from the source inspection Item of Work and to add Amended Exhibit A and Article III, Compensation for Services, to replace Exhibits B and C, with no change to the term or the not-to-exceed compensation amount of the Agreement (retroactive to September 4, 2012).

FUNDING: State Corridor Mobility Improvement Account Funds and Local Funds (Tribe).

17. [13-0187](#) Supervisor Santiago recommending the Board authorize the Chair to sign Resolution **020-2013** to consolidate Lake Tahoe Community College trustee elections to general even-year elections pursuant to Education Code Sections 5300 and 5342.

18. [13-0188](#) Supervisor Santiago recommending the Board authorize the Chair to sign Resolution **021-2013** to consolidate Lake Tahoe Unified School District Board of Education elections to general even-year elections pursuant to Education Code Sections 5300 and 5342.

DEPARTMENT MATTERS/NOTICED HEARING

19. [13-0139](#) Development Services recommending the Board consider the following:
- 1) Authorize the Chair to sign Funding Agreement No. 384-F1311 between the County of El Dorado and San Stino L.P. to provide funding for preparation of an Environmental Impact Report for the San Stino development project;
 - 2) Authorize the Chair to sign Agreement for Services No. 383-S1311 with LSA Associates for a term of two years in an amount not-to-exceed \$318,335;
 - 3) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the county ordinance that it is more economical and feasible to engage an independent contractor for the preparation of an Environmental Impact Report for the San Stino development project; and
 - 4) Authorize the Chair to sign a budget transfer to appropriate revenue and expenditures associated with the Agreement (4/5 vote required).

FUNDING: Applicant Funding Agreement.

10:00 A.M. - TIME ALLOCATION

20. [13-0171](#) Supervisor Briggs recommending Board:
1) Receive a presentation provided by the University of California, Division of Agriculture and Natural Resources on the 4-H Youth Development Program; and,
2) Adopt a Proclamation recognizing 2013 as the Centennial Year of the California 4-H Youth Development Program. (Est. Time: 15 Min.)
21. [13-0172](#) Supervisor Briggs recommending Board receive a presentation provided by the Health and Human Services Agency on the County's Senior Nutrition Program. (Est. Time: 15 Min.)
22. [13-0136](#) HEARING - Health and Human Services Agency recommending the Board, acting as the Governing Board of the El Dorado County Public Housing Authority, adopt Resolution **018-2013** to:
1) Acknowledge the El Dorado County Public Housing Authority as a high performing agency exempt from the requirement to submit an annual Agency Plan update;
2) Approve a required annual amendment to the Public Housing Authority Administrative Plan for the Section 8 Housing Choice Voucher Program for submittal to the Department of Housing and Urban Development;
3) Authorize the Chair to sign the accompanying Civil Rights Certification HUD-50077-CR; and
4) Recognize the contribution of the Public Housing Authority Participant Advisory Board in assisting with development of the Administrative Plan and amendments. (Est. Time: 15 Min.)

10:30 A.M. - TIME ALLOCATION

23. [12-0267](#) Chief Administrative Office providing the Board with an update on the Land Use Policy Programmatic Update.
(Con't. 1/28/13, Item 1) (Est. Time: 15 Min.)

FUNDING: General Fund.

12:00 NOON - 1:30 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, Placerville, California.

1:30 P.M. - CLOSED SESSION

3:00 P.M. - TIME ALLOCATION

24. [13-0118](#) Hearing to consider the recommendation of the Planning Commission on General Plan Amendment A11-0003/Rezone Z11-0004/Planned Development PD11-0002/Parcel Map P11-0003/Green Valley Center on property identified by APN 124-140-33, consisting of 6.85 acres, in the El Dorado Hills area, submitted by Winn Communities, LLC; and staff recommending the Board take the following actions:
- (1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared for the General Plan Amendment and Zone Change only, and the incorporated Mitigation Monitoring Reporting Program, detailing the identified mitigation measures in the Initial Study in accordance with CEQA Guidelines Section 15074(d) [Legistar attachment F];
 - (2) Approve General Plan Amendment A11-0003 amending the land use designation for APN 124-140-33 from High Density Residential (HDR) to Commercial (C) based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (3) Approve Z11-0004 rezoning APN 124-140-33 from One-Family Residential-Planned Development (R1-PD) to Commercial-Planned Development (C-PD) based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (4) Deny Planned Development PD11-0002 based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (5) Deny Parcel Map P11-0003 based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (6) Deny request to reduce the wetland setback required by Policy 7.3.3.4 from 50 feet to 25 feet, based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (7) Deny Design Waiver request reducing standard sidewalk width from 8 feet to 6 feet along Francisco Drive and Cambria Way, based on the revised Findings in Attachment 1 [Legistar attachment E];
 - (8) Adopt Resolution **016-2013** for said General Plan amendment; and
 - (9) Adopt Ordinance **4994** for said rezone. (Supervisory District 1)
(Est. Time: 2 Hrs.)

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION

25. 13-0174 **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
Employee Organization: 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: 30 Min.)
26. 13-0209 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Health and Human Services Agency Employee. (Est. Time: 10 Min.)
27. 13-0100 **Pursuant to Government Code Section 54957: Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 30 Min.) (Cont'd 2/12/2013, Item 24)
28. 11-0385 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2): Title: County Service Area (CSA) No. 3 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 20 Min.)
29. 11-0946 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2): Title: CSA No. 7 Ambulance Services Issues. Number of potential cases: (1) (Est. Time: 20 Min.)
30. 11-1060 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1): PNC Equipment Finance, LLC v. California Fairs Financing Authority, U.S. District Court Case No. 2:11-CV-02019-GEB-DAD. (Est. Time: 15 Min.)
31. 13-0189 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Frank Rodman v. El Dorado County, et al.; El Dorado County Superior Court Case No. SC20120182. Number of potential cases: (1). (Est. Time: 10 Min.)

32. 12-1322 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Complaint of Employee re: Discrimination, Harassment and Hostile Work Place. Number of potential cases: (1). (Est. Time: 15 Min.)
33. 11-1127 **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real properties described as follows:
1) APN 033-090-12; Cass B. Amacker, SR. and Virginia H. Amacker, Husband and Wife, as Joint Tenants. The person or persons with whom the negotiator may negotiate are Cass B. Amacker, SR. and Virginia H. Amacker.
2) APN 033-090-16; Cass B. Amacker SR. and Virginia H. Amacker, His Wife as Joint Tenants. The person or persons with whom the negotiator may negotiate are Cass B. Amacker SR. and Virginia H. Amacker.
- Instructions to negotiator will concern price and term of payment. Julie Duchscherer and Brendan Ferry will be the negotiators on behalf of El Dorado County. (Est. Time: 10 Min.)
34. 10-0339 **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4): Number of potential cases: (1). (Est. Time: 10 Min.)
35. 12-0835 **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as follows:
1) APN 121-280-12, 118-170-04 Huddinge Partners, a Nevada Limited Partnership. The person or persons with whom the negotiator may negotiate is Bradley Rotter;
2) APN 122-720-09 (approx. 6.26 acres, south of H50) Douglas Grant Line Assoc. Ltd., a Limited Partnership as to an undivided 45.6% interest; and Sacramento Realty Investors - El Dorado Ltd., a Limited Partnership as to an undivided 45.6% interest, and Sacramento Realty Investors - Clarksville, Ltd., a Limited Partnership as to an undivided 8.8% interest. The person or persons with whom the negotiator may negotiate is Robert M. Matz.
- Instructions to negotiator will concern price and term of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)

- 36. 13-0208 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: El Dorado County v. EDH 52 - Eminent Domain (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 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)

BOARD OF SUPERVISORS ANNOUNCEMENTS

**Monday, February 25, 2013
Budget Workshop 9:00 AM - 4:00 PM**