



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minutes - Draft Board of Supervisors

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

James S. Mitrisin, Clerk of the Board of Supervisors
Pamela Knorr, Interim Chief Administrative Officer
Robyn Drivon, County Counsel

Tuesday, November 4, 2014

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item No. 41 is hereby added to the Consent Calendar.

Item No. 42 is hereby added to Closed Session.

Item No. 43 is hereby added to Closed Session.

The Board of Supervisors welcomes the El Dorado County Youth Commission for "Shadow Day".

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.

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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.

8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

Public Comment: L. Brent-Bumb, D. Van Dam, M. Kobus

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

9:27 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

Present: 5 - Supervisor Briggs, Supervisor Santiago, Supervisor Mikulaco, Supervisor Veerkamp and Supervisor Frentzen

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Chaplain Tim Thompson, Doctor of Ministry gave the Invocation.
Supervisor Frentzen led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: M. Smith, M. Taylor

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp to Adopt the Agenda and Approve the Consent Calendar with the following changes:

Pull items 11 and 17 and hear together.

Pull item 30.

Move item 33 to the Consent Calendar.

Correct typographical error on item 37 section 7 to read Ordinance 5014 not Resolution 190-2014.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

14-1527 Public Comment (See Attachment)

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.

14-1528 OPEN FORUM (See Attachment)

Public Comment: M. Smith, K. Payne, W. Schultz, L. Parlin, M. Lane, K. Warner, D. Gentry, L. Brent-Bumb, P. Knorr, S. Taylor, K. Greenwood

CAO UPDATE (No Report)

CONSENT CALENDAR

1. **14-1311** Supervisor Veerkamp requests the Board join him in welcoming this year's El Dorado County Youth Commission members and participate with them in the annual Shadow Day. (Refer: 10/21/14, Item 21)

This matter was Approved on the Consent Calendar.
2. **14-1398** Clerk of the Board recommending the Board approve the Minutes from the special meeting of the Board of Supervisors on October 27, 2014 and the regular meeting of the Board of Supervisors on October 28, 2014.

This matter was Approved on the Consent Calendar.
3. **14-1438** Clerk of the Board, based upon the recommendation of the Tahoe Resource Conservation District, recommending the Board accept the following resignations and make the following appointments to the Tahoe Resource Conservation District:

 - 1) Accept the resignation of Jim Ross, Director;
 - 2) Appoint John Thiel, Director, Term Expiration 11/01/2016;
 - 3) Accept the resignation of Robert Anderson, Director; and
 - 4) Appoint Harold Singer, Director, Term Expiration 11/01/2018.

This matter was Approved on the Consent Calendar.
4. **14-1458** Clerk of the Board, based upon the recommendation of the First 5 El Dorado Children and Families Commission, recommending the Board make the following appointment to the First 5 El Dorado Children and Families Commission:

Appoint Ginger Swigart, Community Representative (Vacant), Term Expiration 05/31/2017.

This matter was Approved on the Consent Calendar.
5. **14-1420** Acting as the Board of Directors of the El Dorado County Air Quality Management District:

Air Quality Management District recommending the Board authorize the Air Pollution Control Officer, or designee, to sign and submit the Application to receive Subvention Funding to the California Air Resources Board for Fiscal Year 2014/15 to provide funding for air pollution control programs to the El Dorado County Air Quality Management District.

FUNDING: California Air Resources Board. (No Federal Funding)

This matter was Approved on the Consent Calendar.

6. **13-0438** Chief Administrative Office, Parks Division, recommending the Board adopt Resolution **193-2014** authorizing \$20,000 for the City of Placerville to offset maintenance and operational costs associated with the Placerville Aquatic Center. (4/5 vote required)
- Resolution 193-2014 was Adopted upon Approval of the Consent Calendar.**
7. **14-1395** Chief Administrative Office recommending the Board approve the authorization of Discharge of Responsibility for the collection of infraction, misdemeanor and felony debts listed on the Discharge of Accountability Report submitted by the Superior Court.
- This matter was Approved on the Consent Calendar.**
8. **14-1424** Chief Administrative Office, Facilities Management Division, recommending the Board consider the following:
- 1) Make findings that it is more economical and feasible to contract out in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance; and
 - 2) Authorize the Purchasing Agent to sign Amendment III to Agreement No. 347-S1310 with Weatherproofing Technologies, Inc. to provide on-call and emergency membrane roofing maintenance and repair services for various County-operated facilities increasing compensation by \$200,000 for an amended not to exceed amount of \$260,000.
- FUNDING:** General Fund and Accumulated Capital Outlay Fund.
- This matter was Approved on the Consent Calendar.**
9. **14-1299** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the extreme wildland fire known as the King Fire. (Cont. 10/28/14, Item 2)
- This matter was Approved on the Consent Calendar.**
10. **14-1447** Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.
- This matter was Approved on the Consent Calendar.**

- 11. 14-0242** Chief Administration Office, Parks Division, recommending the Board adopt Resolution **194-2014** sanctioning the closure of the El Dorado Trail for the Sugarloaf Stampede Run a 5K, 10K and 10 mile event from Jacquier Road (trail head) to approximately 3.5 miles east at Halcon Road in Camino Heights. The return route will be the same only in reverse. This fundraiser event is scheduled for Saturday, April 18, 2015 from 6:00 a.m. and 1:00 p.m.

Public Comment: J. Noe, D. Gentry, K. Payne

Items 11 and 17 were heard together.

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco to Continue this item off calendar, holding the date of April 18, 2015 for the event.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

- 12. 09-0877** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Amendment No. 1 Restatement and Affirmation to District Agreement 03-0387 A1 of the Cooperative Agreement with the California Department of Transportation, District Agreement 03-0387, for the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project, CIP No. 71336.

FUNDING: Various State, Local and Federal Funds.

This matter was Approved on the Consent Calendar.

- 13. 13-0202** Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Accept the subdivision improvements for West Valley Village, Unit 6A as complete;
 - 2) Reduce Performance Bond Rider No. 94-89-05 from \$1,843,847.10 to \$459,483.22, which is 10% of the total cost of the subdivision improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
 - 3) Hold Laborers and Materialmens Bond Rider No. 94-89-05 in the amount of \$2,297,416.06 for six months to guarantee payment to persons furnishing labor, materials or equipment; and
 - 4) Authorize the Clerk of the Board to release the respective bonds after the required time periods.

FUNDING: Developer Funds.

This matter was Approved on the Consent Calendar.

- 14. 14-0757** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Certificates of Acceptance acknowledging the Quitclaims of Easements from Pacific Bell Telephone Company, doing business as AT&T California, to El Dorado County on the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project, CIP No. 71336.

FUNDING: The Project was funded by 2004 General Plan Traffic Impact Mitigation and Highway 50 TIM fees, American Recovery and Reinvestment Act, Master Circulation and Funding Plan, Regional Improvement Program, Road Fund/Discretionary, State Highway Operation and Protection Program Funds and Transportation Community and System Preservation Funds. (Federal Funds)

This matter was Approved on the Consent Calendar.

- 15. 14-0933** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Certificate of Acceptance acknowledging the Easement Quitclaim from El Dorado Irrigation District to El Dorado County on the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project, CIP No. 71336.

FUNDING: 2004 General Plan Traffic Impact Mitigation and Highway 50 TIM fees, American Recovery and Reinvestment Act, Master Circulation and Funding Plan, Regional Improvement Program, Road Fund/Discretionary, State Highway Operation and Protection Program Funds and Transportation Community and System Preservation Funds. (Federal Funds)

This matter was Approved on the Consent Calendar.

16. 14-1350

Community Development Agency, Transportation Division, recommending the Board consider the following:

1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County job classifications; therefore, it is more economical and feasible to engage an independent contractor for environmental review services; and

2) Approve and authorize the Chair to sign Agreement for Services No. 112-S1511 with AECOM Technical Services, Inc. in the not-to-exceed amount of \$147,000, for environmental review services, for a term to become effective upon execution by both parties and expiring three years thereafter or upon completion of all issued Task Orders or Work Orders, whichever is later.

FUNDING: Various Capital Improvement Program funding sources that fund Transportation Division's projects.

This matter was Approved on the Consent Calendar.

17. 14-1359

Community Development Agency, Transportation Division, recommending the Board adopt Resolution **193-2014** sanctioning the closure of a portion of Jacquier Road to accommodate the "Sugarloaf Stampede Run" which is scheduled for Saturday, April 18, 2015 from 8:00 a.m. to 11:00 a.m., subject to conditions set forth in Resolution 110-79 and conditions set forth in the Application for Road Closure.

tems 11 and 17 were heard together.

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco to Continue this item off calendar, holding the date of April 18, 2015 for the event.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

18. 11-1400

Health and Human Services Agency recommending the Board consider the following:

- 1) Receive and file the Annual Domestic Violence Shelter-Based Program Certification for Live Violence Free, Inc., and for The Center for Violence-Free Relationships, Inc., for Fiscal Year 2013/14 in accordance with California 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 California Welfare and Institutions Code Section 18300 for Fiscal Year 2013/14.

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

This matter was Approved on the Consent Calendar.

19. 12-1020

Health and Human Services Agency, Public Health Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign replacement Exhibit C to funding Agreement 026-F1511 (Standard Agreement 14-10500) with the California Department of Public Health, funding Public Health Preparedness activities. This replacement Exhibit C includes a section called "Contractor Certification Clauses" which requires the Chair's signature. The "Contractor Certification Clauses" were not part of the original Exhibit C; they were incorporated by reference. This replacement Exhibit C changes neither the original funding amount of \$1,392,633 nor the term of July 1, 2014 through June 30, 2017; and
- 2) Approve and authorize the Chief Administrative Officer to execute future replacement Exhibits or amendments to Agreement 026-F1511 that do not increase the maximum amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: Federal and State Funding managed by the California Department of Public Health.

This matter was Approved on the Consent Calendar.

20. 13-0164

Health and Human Services Agency, Public Health Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign documents required by the California Department of Public Health, Tuberculosis Control Branch, that will allow the County to receive reimbursement in the amount of \$5,287 for core tuberculosis control and prevention activities to be performed during the period July 1, 2014 through June 30, 2015, and contingent upon approval by County Counsel and Risk Management;
- 2) Approve and authorize the Chair to sign any revised Real-Time Allotments, if issued, and contingent upon approval by County Counsel and Risk Management; and
- 3) Authorize the Director of the Health and Human Services Agency to administer the Real-Time Allotment and execute invoices submitted for reimbursement and required fiscal and programmatic reports.

FUNDING: California Department of Public Health, Tuberculosis Control Branch and Federal Funds.

This matter was Approved on the Consent Calendar.

21. 14-1400

Health and Human Services Agency (HHSA) recommending the Board consider the following:

- 1) Approve and authorize the County to Transition the Merit System Services (MSS) classifications in the Administration and Finance division of HHSA (Division 45) to County classifications in order to create consistency and equity for the HHSA Division 45 employees. Employees will be removed from MSS and transitioned to County classifications with the same duties as they are currently performing with no current change in compensation. The removal from MSS and the transition of MSS classifications to County classifications will take effect the first full pay period following Board approval;
- 2) Approve and authorize the Chair to sign the attached Assurance and Certification document from Human Resources certifying the County of El Dorado agrees to perform all actions and support all intentions to comply with the six federal principals of the Intergovernmental Personnel Act of 1970, agreed to audits by CalHR regarding the manner of administering the personnel system for those classifications as used in grant-in-aid programs and maintain records of operations of its personnel management system and related human resources records in accordance with the county policy on records retention;
- 3) Authorize the Chair to sign Resolution **191-2014**, amending the position allocations as a result changing from MSS Classifications to County Classifications; and
- 4) Assign the Supervising Staff Services Analyst, the only allocated incumbent in this classification in the Administration and Finance division of HHSA, to the County classification of Sr. Department Analyst, in the Supervisory (SU) bargaining unit pending a future evaluation of the Department Analyst series as part of a classification study.

Funding: No additional costs are associated with the changes.

This matter was Approved and Resolution 191-2014 was Adopted upon Approval of the Consent Calendar.

22. 14-1431

Human Resources Department recommending the Board consider the following;

- 1) Adopt Resolution **192-2014** adopting the negotiated Memorandum of Understanding (MOU) between the County of El Dorado and the Law Enforcement Managers' Association for the period covering July 1, 2013 through June 30, 2016;
- 2) Approve and authorize the Chair to sign said MOU, noting the MOU would be effective first full pay period following Association ratification and the Board's adoption of the MOU; and
- 3) Direct Human Resources and the Auditor-Controller's Office to administer and implement the MOU provisions.

FUNDING: General Fund.

This matter was Approved and Resolution 192-2014 was Adopted upon Approval of the Consent Calendar.

23. 06-0733

Sheriff's Office recommending the Board approve and authorize the Chair to sign Amendment II to Tower Lease Agreement # 356-O0010 with GTP Acquisition Partners III, LLC, Section 25 Notices/Payment, to amend the Owner's name for the non-exclusive right to install, maintain, operate and remove radio communication equipment and appurtenances on the tower located at Genoa Peak in Carson City, Nevada.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

24. 11-1251

Sheriff's Office recommending the Board consider the following:

- 1) Authorize the continuation of the perpetual agreement #874-S0910 with Trans Union LLC from November 1, 2014 through October 31, 2015, with no additional funding needed to Blanket Purchase Order # 20100133;
- 2) Accept the Pricing Exhibit from Trans Union LLC which establishes the current price for the term September 26, 2014 through September 25, 2015; and
- 3) Authorize the continuation of the perpetual agreement #356-O0010 with GTP Acquisition Partners III, LLC (formerly, Global Tower, LLC) with an annual increase of 3% for a total increase to an annual payment of \$6,695 from \$6,500 for the term December 1, 2014 to November 30, 2015.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 25. 10-1152** Sheriff's Office recommending the Board approve and authorize the Chair to sign Amendment III to Facility Use Agreement #498-O411 with Verizon Wireless to install certain additional equipment on the property and to replace Exhibit C-1 to the Second Amendment with Exhibit C-2, to update Section 3 Notice, to replace Section 4 Paragraph 9 in its entirety, to replace Section 5 Administrator Paragraph 16 in its entirety and to add Section 6 Continued Effect.

FUNDING: Verizon Wireless will bear all the costs of the additional equipment. No County funding will be necessary.

This matter was Approved on the Consent Calendar.

- 26. 14-1303** Surveyor's Office recommending the Board consent to, but reject an Irrevocable Offer of Dedication (IOD 14-006) from Russell-Promontory, LLC, an Illinois Limited Liability Company, for a drainage easement located on a portion of Assessor's Parcel Number 124-070-37. Parcel is further identified as Parcel 6 of Parcel Maps Book 47, Page 107, as recorded at the Recorder's Office, El Dorado County.

This matter was Approved on the Consent Calendar.

- 27. 14-1435** Surveyor's Office recommending the Board consent to, but reject an Irrevocable Offer of Dedication (IOD14-005) from Lennar Homes of California, Inc., a California Corporation, for a drainage easement located on a portion of Assessor's Parcel Number 118-650-20. Parcel is further identified as Lot 98 of West Valley Village Lot 6&7 Unit 1, recorded in Subdivision, Book J at Page 124 at the Recorder's Office, El Dorado County.

This matter was Approved on the Consent Calendar.

- 28. 14-1437** Surveyor's Office recommending the Board consent to, but reject an Irrevocable Offer of Dedication (IOD14-007) from Lennar Homes of California, Inc., a California Corporation, for a drainage easement located on a portion of Assessor's Parcel Number 118-480-05. Parcel is further identified as Lot 535 of West Valley Village Unit 5A, recorded in Subdivision, Book J at Page 97 at the Recorder's Office, El Dorado County.

This matter was Approved on the Consent Calendar.

29. 14-1507

Supervisor Briggs recommending Board:

- 1) Consider funding in the amount not to exceed \$2,000, to El Dorado Transit for the purposes of bus transportation for members and staff of the California State Legislature, County of El Dorado and outside agency representatives to tour the King Fire area; and
- 2) If approved, direct staff to facilitate payment from the Clerk of the Board of Supervisors Department budget.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

30. 14-1355

Supervisor Mikulaco recommending the Board adopt a Proclamation recognizing Veterans Day and encouraging all to attend the ceremony honoring our veterans to be held at the El Dorado County Veterans Monument at 11:00 a.m. on November 11, 2014.

Public Comment: K. Greenwood

Supervisor Santiago read the Proclamation.

A motion was made by Supervisor Santiago, seconded by Supervisor Mikulaco to Adopt this Proclamation.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION

- 31. 14-1487** Chief Administrative Office, Economic Development Division, recommending the Board receive a presentation from the El Dorado Hills Chamber of Commerce providing an annual status report for promotional funding. (Est. Time: 15 Min.)

Public Comment: L. Brent-Bumb, W. Nagel

Received and Filed.

- 32. 14-0517** Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Agreement for Services 221-S1511 with Telecare Corporation, Inc., to operate the Psychiatric Health Facility (PHF) for the County, for the term upon execution through January 19, 2020, with a Fiscal Year 2014/15 maximum obligation of \$2,124,864 for the operation of the Psychiatric Health Facility, Start Up Costs totaling \$292,321, and a total maximum obligation of \$25,781,185 for the term of the Agreement;
 - 2) Approve the Facility Use Agreement with Telecare Corporation, Inc. to use the PHF Facility during the term of the PHF operations contract;
 - 3) Instruct the Director of the Health and Human Services Agency to work with Chief Administrative Office Facilities Management to make safety and other necessary improvements to the Psychiatric Health Facilities in an amount not to exceed \$150,000;
 - 4) Adopt Resolutions **195-2014** and **196-2014** to designate facilities and other professional persons pursuant to the Welfare and Institutions Code Sections 5150 regarding treatment and evaluation related to involuntary psychiatric holds of adults, and to designate Telecare as operator of the Psychiatric Health Facility under Welfare and Institutions Code 5150; and
 - 5) Instruct Health and Human Services Agency to return to the Board adjusting the personnel allocations and budget appropriations upon completion of the PHF transition and authorize the Director of Human Resources to issue lay-off notices, when appropriate, in order to accomplish redeployment of staff to Merit positions in order to comply with Merit rules. (Est. Time: 45 Min.)

FUNDING: Medi-Cal, County Medical Services Program, Mental Health Re-Alignment and fees from contract counties.

Public Comment: J. Copeland, F. Ritchie, K. Payne, S. Taylor, W. Nagle

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolutions 195-2014 and 196-2014.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

DEPARTMENT MATTERS**33. 14-1483**

Auditor-Controller recommending the Board consider the following:

- 1) Authorize the Chief Administrative Officer to execute Deposit and Reimbursement Agreement between El Dorado County and Developer in regards to the formation and possible financing of East Ridge Community Facilities District (CFD) upon final approval by County Counsel and Risk Management;
- 2) Authorize the Auditor-Controller and Chief Administrative Officer to negotiate contracts with Jones Hall (Bond and Disclosure Counsel), Stifel, Nicolaus & Company, Inc. (Underwriter), Bender Rosenthal (Appraiser) and NBS Government Finance Group (NBS/GFG) (Special Tax Consultant);
- 3) Authorize the Chief Administrative Officer to execute agreements with Jones Hall (Bond and Disclosure Counsel), Stifel, Nicolaus & Company, Inc. (Underwriter), Bender Rosenthal (Appraiser) and NBS Government Finance Group (NBS/GFG) (Special Tax Consultant); and
- 4) Authorize the Chief Administrative Officer and Auditor-Controller to work with the Assessment and Community Facilities District Screening Committee members and contracted consultants to consider all requests by Developer and take all necessary steps to prepare all documents required to form and finance the CFD as soon as practical.

This matter was Approved on the Consent Calendar.

34. 11-0995

HEARING - Clerk of the Board recommending the Board consider the following:

- 1) Hear the Introduction (First Reading) of Ordinance **5013** to enact a new code for El Dorado County providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective. This ordinance represents the final step of the first phase of the countywide ordinance re-codification project with Municipal Code Consultants, Inc.;
- 2) Waive full reading of the ordinance, read by title only and continue this matter to November 17, 2014 for final passage (Second Reading); and
- 3) Review the **draft** Fee Resolution that transfers certain fee amounts currently in ordinance to Board Resolution. (Refer 06/17/14, Item 33)

Public Comment: S. Taylor

Supervisor Santiago opened the hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Mikulaco to Approve this matter and Continue Ordinance 5013 to November 17, 2014 for final passage.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

35. 14-1415

Community Development Agency, Administration & Finance Division, recommending the Board approve the relief from accountability for a cash shortage of \$1,404.49 in various Development Services Division accounts due to possible theft.

FUNDING: General Fund.

Public Comment: K. Payne

A motion was made by Supervisor Mikulaco, seconded by Supervisor Briggs to Approve this matter.

Yes: 5 - Briggs, Santiago, Mikulaco, Veerkamp and Frentzen

2:00 P.M. - TIME ALLOCATION**36. 14-0769**

HEARING - Planning Commission recommending the Board consider the recommendation of the Planning Commission on the El Dorado Hills Apartments project consisting of:

- 1) General Plan Amendment increasing the maximum residential density to 55 dwelling units/acre;
- 2) El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related standards;
- 3) Rezone from General Commercial-Planned Development to Multifamily Residential-Planned Development; and
- 4) Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex [General Plan Amendment A14-0001/Rezone Z14-0001/Specific Plan Revision SP86-0002-R/Planned Development Revision PD94-0004-R-2] on property identified by Assessor's Parcel Numbers 121-290-60, 121-290-61, 121-290-62, consisting of 4.56 acres, within the Town Center East Commercial Center in El Dorado Hills, submitted by Alexandro Economou/Spanos Corporation. (Cont. 10/14/14, Item 18)

The Planning Commission recommends the Board consider the following:

- 1) Deny General Plan Amendment A14-0001;
- 2) Deny amendments to the El Dorado Hills Specific Plan SP86-0002-R;
- 3) Deny Rezone Z14-0004; and
- 4) Deny Revisions to the Town Center East Planned Development PD94-0004R-2.

(Supervisory District 1) (Est. Time: 2.5 Hrs.)

Public Comment: J. Kellegan, L. Larsen-Hanley, P. Conomea, J. Rasner, R. Sweatson, J. Hidahl, E. Willard, S. Screwbe, J. Kohn, M. Lagomarsino, D. VanDyke, C. Burson, P. Stomack, K. Sharp, J. Hoyt, S. Novell, E. VanDyke, R. Wilson, G. Willard, S. Jansen, L. Keenan, K. Payne, S. Taylor, C. Volsworthy, G. Gebhardt, L. Pantone, D. Near, G. Angopolis

Supervisor Veerkamp opened the hearing.

A motion was made by Supervisor Briggs, seconded by Supervisor Veerkamp to

- 1) Close the public hearing;**
- 2) Conceptually approve the project; and**
- 3) Direct staff to return to the Board with the necessary documents including the Findings and Conditions.**

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

Noes: 1 - Frentzen

37. 14-1331

HEARING - Planning Commission recommending the Board consider the recommendation of the Planning Commission to rezone from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) and Open Space-Planned Development (OS-PD); create 28 single-family lots and one interior private road lot, two lettered lots, and one "new connection" road lot; and Design Waivers for reduction in Lot R right-of-way, cul-de-sac right-of-way, roadway width, and cul-de-sac Lot R-1 [Rezone Z14-0002/Planned Development PD14-0001/Tentative Map TM14-1515/Wilson Estates] on property identified by Assessor's Parcel Numbers 126-070-22, 126-070-23, and 126-070-30, consisting of 28.18 acres, in the El Dorado Hills area, submitted by Lisa Vogelsang, Catherine Ryan, and Julie Ryan; and recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
- 2) Adopt the Mitigation Monitoring Program in accordance with California Environmental Quality Act Guidelines, Section 15074(d), incorporating the Mitigation Measures in the Conditions of Approval (Attachment 2C);
- 3) Approve Z14-0002 rezoning Assessor's Parcel Numbers 126-070-22, 126-070-23, and 126-070-30 from One-Acre Residential (R1A) to One-Acre Residential-Planned Development (R1A-PD) and Open Space-Planned Development (OS-PD) based on the Findings (Attachment 2B);
- 4) Conditionally approve Planned Development PD14-0001, approving the Development Plan as the official Development Plan, based on the Findings (Attachment 2B) and subject to the Conditions of Approval (Attachment 2C);
- 5) Conditionally approve Tentative Map TM14-1515 based on the Findings (Attachment 2B) and subject to the Conditions of Approval (Attachment 2C);
- 6) Approve the following Design Waivers to:
 - (a) Reduce Lot R right-of-way widths from 50 feet to 30 feet;
 - (b) Reduce cul-de-sac right-of-way radii from 60 to 50 feet;
 - (c) Reduce roadway width from 28-foot 101B width to a modified 101C 22-foot CF/CF asphalt paved with Type E AC Dike and three-foot shoulder as shown; and
 - (d) Reduce cul-de-sac Lot R-1 from 60 feet to 50 feet top back of mountable dike at 47 feet, 50 feet to hinge point; 3-foot shoulder designed to support a 40,000 lb. load. The new connector may be installed with an AC Dike in lieu of Type 2 Curb and Gutter with Transportation approval pursuant to note 10 on design plate 101B; and
- 7) Adopt ~~Resolution 190-2014~~ **Ordinance 5014** for said rezone. (Est. Time: 1.5 Hr.)

(Supervisory District 1)

(Clerks Note: See next page for Public Comment and Motion's)

Public Comment: S. Baker, J. Garcia, G. Goyopolis, A. Sarge, S. Najadian, K. Garcia, S. Neesham

Project applicant representative Dave Crosariol gave a presentation regarding the project.

A motion was made by Supervisor Frentzen, seconded by Supervisor Santiago to continue this matter.

Yes: 3 - Santiago, Mikulaco and Frentzen

Noes: 2 - Briggs and Veerkamp

A clarifying motion was made by Supervisor Frentzen, seconded by Supervisor Santiago to close the public hearing and continue this matter to November 13, 2014 for the purposes of Board member deliberation only.

Yes: 3 - Santiago, Mikulaco and Frentzen

Noes: 1 - Veerkamp

Absent: 1 - Briggs

ITEMS TO/FROM SUPERVISORS

Supervisor Santiago attended an event last week sponsored by TrueCare of Tuolumne County. Supervisor Santiago toured the Rim Fire one year later. She also received information that will help future recovery efforts.

ADJOURNED AT 7:30 P.M.

CLOSED SESSION

- 38. 14-1360** **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:** Instructions to its negotiator(s) for the Sly Park at Clear Creek Bridge Replacement Project #77115, regarding the real property(ies) described as follows:

- 1) APN 079-030-19 (Chappell)
- 2) APN 079-030-13 (Eva et.al.)
- 3) APN 079-030-10 (Ault)
- 4) APN 079-030-15 (Avery)
- 5) APN 079-030-11 (FNMA)
- 6) APN 079-021-23 (Hartley)
- 7) APN 079-030-08 (Hallmark)
- 8) APN 079-021-29 (Hogan)
- 9) APN 079-030-07 (Kragel)
- 10) APN 079-030-16 (Prall)
- 11) APN 079-021-24 (Sisto)
- 12) APN 079-030-14 (Standley)
- 13) APN 079-030-09 (Turner)

Instructions to negotiator(s) will concern price and terms of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

- 39. 14-1495** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

- 40. 14-1003** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administration Officer. (Est. Time: 30 Min.)

No Action Reported. All five Supervisors participated.

ADDENDUM**CONSENT CALENDAR**

- 41. 13-1347** Community Development Agency, Development Services Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Funding Agreement #261-F1511 (Attachment 4B) between the County and Cameron Park Petroleum, Inc. (Applicant Marc Strauch of The Strauch Companies). The agreement would fund consultant services for Agreement #156-S1510 (Attachment 4C) with Pacific Municipal Consultants in the amount of \$60,000 to prepare a Focused Environmental Impact Report for the Green Valley Convenience Center [Planned Development PD12-0003] Project (Project); and
 - 2) Once complete, the Project and Focused Environmental Impact Report return directly to the Board for consideration and final action.

FUNDING: Developer Funded. (No Federal Funds)

This matter was Approved on the Consent Calendar.

CLOSED SESSION

- 42. 14-1410** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2).
Number of potential cases: (1). (Est. Time: 30 Min.)
- No Action Reported. County Counsel reported that this item was not necessary.
- 43. 14-1514** **Pursuant to Government Code Section 54957- Public Employee Discipline/Dismissal/Release.** (Est. Time: 30 Min.)
- No Action Reported. County Counsel reported that this item was not necessary.

NEW BUSINESS

Supervisor Santiago announced that the El Dorado County Board of Supervisors has accepted the resignation of Chief Administrative Officer, Terri Daly. The Board of Supervisors has decided to conduct a recruitment for the position of Chief Administrative Officer. Terri Daly has been a loyal champion for all employees of El Dorado County. The Board wishes to thank Terri for her service and dedication to the County during these tough economic times. The Board will need to add an emergency item to today's Agenda for a Closed Session - Appointment of Public Employee per Government Code Section 54954.4(e) for appointment of an interim Chief Administrative Officer. The recruitment will begin immediately for a permanent Chief Administrative Officer. The Board has confidence in the leadership teams of the elected and appointed department heads who can maintain the business of El Dorado County through this process.

A motion was made by Supervisor Santiago, seconded by Supervisor Mikulaco to hold an emergency Closed Session for the purpose of appointing an interim Chief Administrative Officer. All five Supervisors voted in favor. (4/5 vote required)

14-1530

Pursuant to Government Code Section 54957.6 - Public Employee Appointment. Title: Appoint Interim Chief Administrative Officer. (Est. Time: 15 Min.)

County Counsel reported that the Board of Supervisors by a vote of 3-2 has appointed current Human Resources Director Pamela Knorr as Interim Chief Administrative Officer.