



County of El Dorado

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Minutes - Final Board of Supervisors

Helen K. Baumann, Chairman, District II
Rusty Dupray, First Vice Chairman, District I
Ron Briggs, Second Vice Chairman, District IV
James R. Sweeney, District III
Norma Santiago, District V

Cindy Keck, Clerk of the Board of Supervisors
Laura S. Gill, Chief Administrative Officer *Louis B. Green,*
County Counsel

Tuesday, August 21, 2007

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."

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) 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.

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

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

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. To ensure timely delivery, written information from the public must be received by the Board Clerk by Monday prior to the meeting. The Board Clerk cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

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

Present: 2 - Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Briggs

9:00 A.M. - RECONVENE AND CLOSED SESSION REPORTS

Present: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

At this time 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.

Approval of the Consent Calendar

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4, 5 and 16 pulled from the Consent Calendar for separate action.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

OPEN FORUM

CONSENT CALENDAR

1. [07-1408](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, August 14, 2007.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

2. [07-1337](#) Public Health Department advising the Board of current perpetual agreements for services and recommending continuation of same; and Purchasing Agent be authorized to establish blanket purchase orders to process associated payments for Fiscal Year 2007-2008.
RECOMMENDED ACTION: Approve.

FUNDING: Various funding sources.
This matter was Approved on the consent calendar

3. [07-1327](#) Public Health Department recommending the Board approve, in concept, the submission of a proposal to the California Administrative Office of the Courts for a Driving Under the Influence (DUI) Court grant in the total amount of \$156,500 for the term August 1, 2007 through July 31, 2009 to establish a Driving Under the Influence Court in El Dorado County to help reduce the rate of drunk driving recidivism among DUI offenders.

RECOMMENDED ACTION: Approve.

FUNDING: California Administrative Office of the Courts for DUI Court Grant.

This matter was Approved on the consent calendar

4. [07-1343](#) Public Health Department recommending Chairman be authorized to sign retroactive Amendment 2 to Agreement NNA09 with the State of California Department of Alcohol and Drug Programs in the amount of \$1,559,269 for the term July 1, 2004 through June 30, 2008 to change funding amounts between budgeted items for various alcohol and drug prevention and treatment programs for said Department, noting there is no net increase or decrease in the total amount of the agreement.

RECOMMENDED ACTION: Approve.

FUNDING: Net Negotiated Amount (NNA) and Drug Medi-Cal funding from the State.

A motion was made by Supervisor Dupray, seconded by Supervisor Briggs to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

5. [07-1328](#) Public Health Department recommending Chairman be authorized to sign retroactive Agreement for Services 622-PHD0607 with Progress House, Inc. in the amount of \$65,300 for the term July 1, 2007 through December 31, 2007 to provide substance abuse treatment services and drug testing for clients who qualify to participate in the Proposition 36 Alcohol/Drug Treatment Services Provider Program.

RECOMMENDED ACTION: Approve.

FUNDING: State Prop 36 funding.

A motion was made by Supervisor Dupray, seconded by Supervisor Briggs to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

6. [07-1333](#) General Services Department requesting authorization to exercise the second option to extend Lease Agreement 109-L0411 with Robert Earl Olson and Martha Waddell Olson in the amount of \$1,400.38 per month for an additional one year commencing September 1, 2007 through August 31, 2008 for office space located at 415 Placerville Drive, Suites S & T, Placerville for the Public Health Department.

RECOMMENDED ACTION: Approve.

FUNDING: State and Federal.

This matter was Approved on the consent calendar

7. [07-1334](#) General Services Department requesting authorization to exercise the first option to extend Lease Agreement 056-L0511 The Caso Trust in the amount of \$2,051.42 per month for an additional two years commencing September 1, 2007 through August 31, 2009 for office space located at 550 Main Street, Suite H, Placerville for the District Attorney's Victim Witness Program and MDIC Program.

RECOMMENDED ACTION: Approve.

FUNDING: Victim Witness/MDIC Funding.

This matter was Approved on the consent calendar

8. [07-1341](#) General Services Department requesting authorization to exercise the first option to extend Lease Agreement 123-L0511 with Pacific States Development in the amount of \$1,587.32 per month for an additional year commencing September 15, 2007 through September 14, 2008 for office space located at 981 Governor Drive in El Dorado Hills for the Sheriff's Department Outreach Station.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

9. [07-964](#) Transportation Department recommending Chairman be authorized to sign Agreement for Services AGMT 07-1492 with Dokken Engineering in an amount not to exceed \$186,500 for a term effective upon execution and expiring upon the later of County's recordation of the Notice of Completion of Construction for the last of the three Projects to be completed under this Agreement, or upon resolution of all construction claims, if any, associated with that Project to provide design support services during construction of White Rock Road Realignment and Widening between Manchester Drive to Latrobe Road (Project 72401), Latrobe Road Widening between Highway 50 and White Rock Road (Project 72402), and Latrobe Road Realignment, Widening, and Bridge Project between Suncastr Lane and Golden Foothill Parkway (Project 72403).

RECOMMENDED ACTION: Approve.

FUNDING: Funding, Credit, and Reimbursement Agreement between West Valley, LLC and the County of El Dorado require that the developer of West Valley advance fund the construction of the Latrobe Road and White Rock Road Projects through the prepayment of El Dorado Hills Traffic Impact Mitigation (TIM) fees. A bond was issued and a portion of the proceeds were used to prepay \$23 million in El Dorado Hills TIM fees. These prepaid fees are held in a segregated fund and will be utilized to fund the three Latrobe and White Rock Road construction projects listed above, including the requisite construction support.

This matter was Approved on the consent calendar

10. [07-1189](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Agreement for Services AGMT 05-798 jointly with Imbsen & Associates, Inc. and TRC Engineers, Inc. to revise the requirements for Task Orders to conform to the most recently approved Task Order language; change the expiration date of April 1, 2008 to the later of the County's recordation of the Notice of Completion for the Green Valley Road at Tennessee Creek Bridge Replacement Project or resolution of all construction claims, if any associated with that Project; and amending other articles of the contract to conform to current contract standards for Project Planning and Design services in support of the Green Valley Road at Tennessee Creek Bridge Replacement Project (77109).

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program, Highway Bridge Replacement and Rehabilitation Program and Regional Surface Transportation Program Exchange Funds-Guaranteed.

This matter was Approved on the consent calendar

11. [07-1284](#) District Attorney recommending Resolution authorizing him to submit an application to the Governor's Office of Emergency Services, Law Enforcement and Victim Services Division, for the Fiscal Year 2007/2008 Elder Abuse Advocacy & Outreach Program Grant Award Agreement, and to execute any extensions or amendments thereof which would be prompted by changes in funding from the State of California and would not increase net county costs; and Chairman be authorized to execute the Certification for same.

RECOMMENDED ACTION: Adopt Resolution **214-2007**.

FUNDING: Office of Emergency Services, Law Enforcement & Victim Services Division

This matter was Approved on the consent calendar

12. [07-1269](#) Probation Department recommending Chairman be authorized to sign Agreement 173-S0811 with the County of Shasta in the amount of \$93 per day, per ward, for a term of three years to provide as-needed space available accommodations to juveniles who are wards of the court at the Crystal Creek Juvenile Detention Facility for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

13. [07-1348](#) Sheriff's Department recommending the Board approve request for the accelerated promotion to the Sergeant classification.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

14. [07-1272](#) Information Technologies Department recommending the Board find that it is more economical and feasible to "contract out" the services in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and Chairman be authorized to sign Amendment I to Agreement 075-S0511 with DecisionOne increasing compensation by \$38,807.88 to an amount not to exceed \$119,951.28, with annual price increases of not more than the Consumer Price Index (CPI) plus 8%, and extending the term from August 31, 2007 through August 31, 2010 to provide on-going maintenance of IBM related hardware located in the data center since August 31, 2004 for said Department.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [07-1292](#) Clerk of the Board of Supervisors requesting authorization to place an announcement on the face of the agenda that the "The Board meets simultaneously as the Board of Supervisors and as the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts having business heard this date."
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

16. [07-1406](#) Supervisor Briggs, on behalf of Burt and Jo Harrell, recommending administrative relief from agricultural setback requirement for the mobile home located on APN 089-090-03 (Art and Jill DeWerk) within the agricultural setback.
RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney to direct staff to work with Mr. and Mrs. Harrell and the District IV office to bring back a solution to the Board pertaining to the setback; noting the intent of the Board is to assure the Harrell's that the "hardship" status is approved.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

17. [07-1416](#) Supervisor Briggs recommending Resolution **215-2007** and letter of support for the designation of the Western States Trail as a National Historic and Scenic Trail.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

18. [07-885](#) Staff recommending the presentation by Manuela King, Principal, Royston, Hanamoto, Alley and Abey on the South Lake Tahoe 56-acre Project be continued to **September 11, 2007**. (Cont'd 7-17-07, Item 70)
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

19. [07-1275](#) Chief Administrative Office recommending the following:
- 1) Adopt Resolution **216-2007** to set aside 15% of the Fiscal Year 2007/2008 Forest Reserve Funds and dedicate 100% of the set-aside amount for projects authorized under Title III of Public Law 106-393, the Secure Rural Schools and Community Self-Determination Act of 2000;
 - 2) Approve allocation of Fiscal Year 2007/2008 Title III funds to projects in the following categories, as allowed by the legislation: Search, Rescue, and Emergency Services (Sec. 302 (b)(1) and Fire Prevention and County Planning (Sec. 302(b)(5); and
 - 3) Authorize the solicitation of proposals for Fire Prevention and County Planning projects.

RECOMMENDED ACTION: Approve.

FUNDING: Federal Forest Reserve Funds

This matter was Approved on the consent calendar

20. [07-1409](#) Supervisor Baumann requesting the Board approve the waiver of Condition Nos. 3 and 6 for P06-0027, as approved by the Board of Supervisors on June 19, 2007, said Tentative Parcel Map P06-0027 allows for the creation of two parcels, each with an existing residence; noting Condition No. 3 requires that the temporary mobile home permitted under S85-61, that now exists on one of the two newly formed parcels, shall be removed or converted to a permanent structure prior to or concurrently with the filing of the parcel map; waiver of Condition No. 3 will allow the owner to file the parcel map prior to converting the existing temporary mobile home to a permanent permitted dwelling and Condition No. 6 requires the applicant to pay the Traffic Impact Fees in effect at the time a building permit application is deemed complete; and further requesting the Board find that the application of TIM fees to the converted dwelling is not appropriate as the parcel split will not result in an increase in traffic impact.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

NOTICED HEARINGS**DEPARTMENT MATTERS**

21. [07-1196](#) Hearing to consider adoption of Resolutions **188-2007** and **193-2007** establishing the ambulance rate schedule for County Service Areas 3 and 7 to provide advanced life support ambulance services within the legal boundaries of said County Service Areas. (Cont'd 7-17-07, Item 41)

FUNDING: Fee assessment.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution Nos. 188-2007 and 193-2007.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

22. [07-1111](#) Hearing to consider adoption of Resolution **164-2007** to amend Standard Plan 101-C of the El Dorado County Design Improvement Standards Manual. (Cont'd 7-3-07, Item 17)

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 164-2007; and to direct staff to return with the California Environmental Quality Act (CEQA) document.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

23. [07-1116](#) General Services Department providing a Proposed Management Plan Alternatives pertaining to skateparks. (Refer 8-21-07, Item 23)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to direct staff, with the assistance of the Skatepark Advisory Committee, to implement Alternative B "Managed Approach w/\$1 Fee and Reduced Hours"; noting the hours are to be flexible as may be determined by the operation itself, part time staff to be used for the six month pilot program, and staff to report back to the Board in three months regarding same.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

24. [07-869](#) Transportation Department recommending the following pertaining to the White Meadows Road Slipout Repair Project 78669A:
- 1) Chairman be authorized to sign Agreement for Services AGMT 07-1504 with Blackburn Consulting in an amount not to exceed \$50,000 for a term to expire December 28, 2007 to assist with construction and engineering support services for said Project and plans for same;
 - 2) Determine that the proposed work be accomplished pursuant to Public Contract Code, Section 20395(c) in that the County shall perform the work by purchasing materials and having work done by day labor in which case advertising for bids is not required;
 - 3) Authorize the Director of said Department to perform the work at the earliest date using County staff/maintenance workers as day labor and with the work to be performed under the responsibility of a registered civil engineer; and
 - 4) Authorize the Purchasing Agent to award bids for materials purchases over \$100,000.

FUNDING: Road Fund Discretionary sources will initially be used to fund this project with ultimate funding likely to be provided from the Federal Emergency Management Agency (FEMA).

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

25. [07-1279](#) Transportation Department recommending approval of the Contract PW 07-176 documents for the Asphalt Concrete Overlay of Francisco Drive and Lakehills Drive Project 72172; and requesting authorization for construction bids to be received on Wednesday, September 5, 2007.

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

26. [07-1403](#) Environmental Management Department recommending Board approve Addendum No. 1 to the Right of Entry Permit allowing the affected homeowners of the Angora Fire to receive hazardous tree and vegetation identification and removal services as part of the Angora Fire burn area debris removal initiative.

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

An amended motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve Addendum No. 1 amending the last paragraph of said permit to read as follows: "In Witness Whereof, Owner has executed this Addendum No. 1 effective as of....".

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

27. [07-1407](#) Chief Administrative Officer recommending the Board set budget hearing dates for review and discussion of the FY 2007-08 Final Budget commencing September 17, 2007 with adoption of same on September 25, 2007.

A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to continue this matter to August 28, 2007.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

28. [07-1362](#) Transportation Department presenting a newly developed departmental Web Page featuring up-to-date project information on each of the projects in the Department's five-year Capital Improvement Program.

FUNDING: Transportation Department 2007/08 Operating Budget

No action required.

29. [07-1182](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Request for Qualifications and Statements of Interest 07-918-135 to The HLA Group, Landscape Architects & Planners, Inc. of Sacramento, CA; and Chairman be authorized to sign Agreement 084-S0811 with same in the amount of \$425,700 for a one-year term upon approval and review by County Counsel and Risk Management for the provision of landscape architecture and civil engineering of the Pollock Pines Community Park. (Cont'd 8/14/07, Item 41)

FUNDING: State of California Proposition 40.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to continue this matter to August 28, 2007 for clarification relating to same.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

TIME ALLOCATION - 10:00 A.M.

30. [07-1411](#) Presentation by Chuck Wiesen regarding the El Dorado County Community Health Center.

No action required.

TIME ALLOCATION - 2:00 P.M.

31. [07-1322](#) Hearing to consider rezone (Z07-0006) of approximately six acres (APNs 098-110-24 and -25) from Estate Residential Five-acre (RE-5) and Planned Commercial (CP) to General Commercial-Planned Development (CG-PD) in the Diamond Springs area; and adoption of Ordinance **4742** for same. Applicant: Charles and Sharon Eubanks. (District III).

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to adopt the negative declaration as prepared; and to adopt Ordinance 4742 to rezone said parcels based on the Planning Commission's findings.

Yes: 4 - Dupray, Baumann, Sweeney and Briggs

Absent: 1 - Santiago

32. [07-1323](#) Hearing to consider Specific Plan SP05-0001 to certify the final environmental impact report and consider the 2005 Heavenly Mountain Resort Master Plan Amendment; noting the improvements will occur throughout the California and Nevada Land use jurisdictions of the Master Plan project. California parcels in the Master Plan amendment, consisting of approximately 3,950 acres, are identified by the following Assessor's Parcel Numbers: 028-030-01, 029-240-07, 029-240-12, 029-260-19, 029-260-25, 029-260-27, 029-260-29, 029-260-32, 029-320-01, -02, -03, -04, and -05, 029-320-09, 029-320-11, 030-100-01, 030-110-01, 030-120-01, 030-020-01, 030-331-02, 030-331-03, 030-040-01, 030-050-01, 030-060-01, 030-070-01, 030-080-01, 030-090-01, 030-370-04, 030-370-06, 030-390-10, 030-390-13, 030-390-42, 030-390-43, 030-390-47 located in the vicinity of South Lake Tahoe; Applicant Heavenly Valley Limited Partnership (District V).

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Dupray to certify the Environmental Impact Report based on the Planning Commission findings; and approve the 2005 Master Plan Amendment for said Resort based on the findings, subject to conditions.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

33. [07-1335](#) Hearing to consider an appeal of the approval of a map amendment for Subdivision Map TM91-1239-C to allow a map correction to the recorded final map for Serrano/Village H, Unit 3, Lot 117, to remove the recorded vehicular access restriction adjacent to Gresham Drive for a secondary driveway on property consisting of 0.95 acres (APN 123-110-22) in the El Dorado Hills area; Appellant: Hannelore and Donald K. Willett. Applicant: John and Patricia Grigsby. (District 1)

After hearing public testimony, a motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to deny the appeal, thereby upholding the action of Planning Commission on July 12, 2007, conditionally approving TM91-1239-C.

Yes: 3 - Dupray, Baumann and Sweeney

Noes: 2 - Briggs and Santiago

34. [07-1351](#) Hearing to consider an appeal of the approval of Tentative Subdivision Map TM01-1381R and Planned Development PD01-009R for Village M, Phase 5 consisting of 8.36 acres (APNs 123-020-05 and -06) in the El Dorado Hills area; Applicant: Serrano Associates, Inc. Appellant: George and Lisa Caryotakis. **Planning staff advising that a request has been received to withdraw the subject appeal and recommending the Board accept said withdrawal.**

No action required.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

35. [07-1395](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: United States of America (USA) v. El Dorado County and City of
South Lake Tahoe. Civil Action No. S-.01-1520 x-ref: (Meyers Landfill
Site)

No action reported.

36. [07-1417](#) Pursuant to Government Code Section 54956.9(b), **Anticipated
Litigation:**
Significant exposure to litigation. One (1) potential case.

No action reported.

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.

Notice of any Agenda ADDENDA will be recorded on the "AGENDA HOTLINE" (530) 621-6622 no later than 8:00 A.M. on Saturday preceding the Tuesday meeting.

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 2, Wednesday at 4:00 P.M.

South Lake Tahoe - Charter Cable 21, Daily - Time varies