



# County of El Dorado

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

## Minutes - Final Board of Supervisors

*Ray Nutting, Chair, District II*  
*John R. Knight, First Vice Chair, District I*  
*Ron Briggs, Second Vice Chair, District IV*  
*James R. Sweeney, District III*  
*Supervisor Norma Santiago, District V*

*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, April 5, 2011

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.

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

**Present:** 5 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

#### **9:22 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

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

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

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4 and 16 were pulled from the consent calendar, Item 4 will be heard together with Item 24, and Item 23 was continued to April 12, 2011.

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

#### **OPEN FORUM**

NONE

#### **BUDGET UPDATE**

L. Schwartz informed the Board that the FY 11/12 budgets were due to the CAO's office on Monday April 4, 2011, the calculations from the PERS could be as high as 1.2 million dollars, and the Governor signed AB 109 which allows the State to transfer prisoners to the local jails, however there is no funding to support the Counties at this time and the Governor stipulated that prisoners will not be transferred until there is funding.

1. [11-0333](#) Department of Transportation recommending the board view and approve for release to the public the educational video "Rubicon Trail, It is in your hands" on April 22, 2011. (Est. Time: 15 Min.)  
**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to approve this matter.**  
**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

### CONSENT CALENDAR

2. [11-0350](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of, Monday, March 28, 2011, and the Regular Meeting of Tuesday, March 29, 2011.  
**This matter was Approved on the consent calendar.**
3. [11-0289](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of property surplus to the needs of the County 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.**
4. [11-0212](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
  - 1) Award Bid No. 11-070-034 for the purchase of 23 new vehicles to the low qualified bidders, Folsom Lake Ford of Folsom, CA. in the amount of \$294,091(bid vehicle A, M, and P), Maita Chevrolet of Elk Grove, CA. in the amount of \$268,122.82 (bid vehicle B, E, and J), and Downtown Ford Sales of Sacramento, CA. in the amount of \$29,589 (bid vehicle G), plus all applicable taxes and fees for all purchases;
  - 2) Authorize the Purchasing Agent to issue purchase orders in the total amount of \$591,802.82, plus all applicable taxes and fees following Board approval; and
  - 3) Authorize the Purchasing Agent to issue additional purchase orders on an "as-needed" basis during the awarded period as long as funding is available within the requesting Department's budget.**FUNDING:** Fleet Fund (Non-General Fund) and Federal Women with Infant Children (WIC) Funds.  
**A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, as follows:**
  - 1) Award Bid No. 11-070-034 for the purchase of 23 new vehicles; and
  - 2) Authorize the Purchasing Agent to issue purchase orders in the total amount of \$591,802.82.**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

5. [11-0278](#) Development Services Department, Planning Services Division, recommending the Board approve a final map (TM06-1409-F) for West Valley Village Lots 6 and 7 creating five numbered and four lettered large lots for financing purposes with no development associated with the final map, on property identified by APN's 118-160-15, 118-160-16, 118-160-21, 118-160-22, and 118-160-27, located approximately three-fourth mile from the southeast corner of Valley View Parkway and Blackstone Parkway, in the El Dorado Hills area. (Supervisory District 2)

**This matter was Approved on the consent calendar.**

6. [11-0256](#) District Attorney recommending the Board approve a budget transfer establishing budget and transfer of funds from the asset forfeiture special revenue account into Departments operating budget for the purchase of computers and related software. (4/5's vote required).

**FUNDING:** Asset Forfeiture Funds.

**This matter was Approved on the consent calendar.**

7. [11-0057](#) District Attorney recommending the Board:  
1) Approve the expenditure of the State Fiscal Year 2009/2010 Supplemental Law Enforcement Services Fund (SLESF) allocation, including estimated interest; and  
2) Authorize the Chair to sign the accompanying Budget Transfer. (4/5's vote required)

**FUNDING:** State Supplemental Law Enforcement Services Fund.

**This matter was Approved on the consent calendar.**

8. [11-0316](#) Human Resources Department recommending the Board adopt a resolution amending the salary schedule for the classifications of Mental Health Medical Director and Psychiatrist.

**FUNDING:** Funded primarily by MediCal, Mental Health Services Act (MHSA), Realignment.

**Resolution 052-2011**

**Adopted Resolution 052-2011 upon approval of the consent calendar.**

9. [11-0286](#) Department of Human Services recommending the Board approve and authorize the Purchasing Agent to execute Amendment I to Agreement for Services 515-S1010 with Tabula Rasa Treatment Homes, Inc., a group home, for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis. Amendment I increases the maximum annual compensation for this perpetual agreement from \$100,000 to \$200,000 for FY 2010-11 and subsequent fiscal years and allows placement by the Human Services Department and the Probation Department.

**FUNDING:** Federal and State Social Services Allocation with required County Share of Cost met primarily with realignment resources.

**This matter was Approved on the consent calendar.**

10. [11-0285](#) Department of Human Services recommending the Board adopt a Resolution authorizing the Chair's signature on Amendment 2 to Agreement AP-1011-29 with the California Department of Aging, increasing the maximum grant amount by \$72,272 from \$931,745 to \$1,004,017, for the provision of senior services during FY 2010-11. The Resolution further authorizes the Director of the El Dorado County Area Agency on Aging, or successor, to execute documents relating to Agreement AP-1011-29, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and to continue to sign subsequent required fiscal and programmatic reports, and to perform any and all administrative and other responsibilities in relationship to said Agreement.

**FUNDING:** Federal Grant Funding.

**Resolution 053-2011**

**Adopted Resolution 053-2011 upon approval of the consent calendar.**

11. [11-0282](#) Recorder-Clerk-Registrar of Voters recommending the Board declare the results of the official canvass of the March 8, 2011 Special Consolidated Primary Election.

**This matter was Approved on the consent calendar.**

12. [11-0269](#) Sheriff's Office recommending the Board approve Amendment II to perpetual Agreement 282-S0011 with Sirron Software, Corp. to provide software maintenance services on four additional laptop computers utilized by the Sheriff's Office Civil Division.

**This matter was Approved on the consent calendar.**

13. [11-0214](#) Department of Transportation recommending the Board adopt a Resolution accepting the Irrevocable Offer of Dedication from Convenience Retailers LLC, a Delaware Limited Liability Company, for road right of way, in fee, and acknowledging but rejecting the offer for public utilities and slope easements, across portions of Assessor's Parcel Number 090-430-59, which are necessary to comply with the project conditions for DR00-0011.

**Resolution 054-2011**

**Adopted Resolution 054-2011 upon approval of the consent calendar.**

14. [11-0188](#) Department of Transportation recommending the Board consider the following regarding the Latrobe Road North of Ryan Ranch Road (Milepost 7.0 - 7.35) Project, located in El Dorado Hills, Contract No. PW 09-30467, CIP No. 73359:

1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related Grant of Road Right of Way and Public Utilities Easement, the Grant of Slope and Drainage Easement, and the Grant of Temporary Construction Easement from Dennis A. Gardemeyer and Denice Gardemeyer, Trustees of the Gardemeyer Revocable Trust Dated March 10, 1993, the legal owners of APN 117-020-15; and  
2) Authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees.

**FUNDING:** High Risk Rural Roads federal grant program and the Regional Surface Transportation Program.

**This matter was Approved on the consent calendar.**

15. [10-1055](#) Department of Transportation recommending the Board consider the following regarding the Latrobe Road North of Ryan Ranch Road (Milepost 7.0 - 7.35) Project, located in El Dorado Hills, Contract No. PW 09-30467, CIP No. 73359:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related Grant of Road Right of Way and Public Utilities Easement, the Grant of Slope and Drainage Easement, and the Grant of Temporary Construction Easement from MJ 318, L.P., a California Limited Partnership, Angelo K. Tsakopoulos, Tsakopoulos Family Partnership, a California General Partnership, and John C. Kemp and Lesley Ann Kemp, as Trustees of the John C. Kemp and Lesley Ann Kemp Family Trust Dated May 4, 1990, the legal owners of APN 118-110-03; and
  - 2) Authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees.

**FUNDING:** High Risk Rural Roads federal grant program and the Regional Surface Transportation Program.

**This matter was Approved on the consent calendar.**

16. [10-1078](#) Department of Transportation recommending the Board adopt a Resolution consenting to the construction of improvements and the acquisition of Right of Way by the City of Placerville for the purpose of extending Point View Drive. (4/5 vote required)

**Resolution 055-2011**

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 055-2011.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

17. [11-0363](#) Supervisor Nutting recommending the Board adopt a Proclamation recognizing April 10 - 16, 2011, as "Safety Seat Checkup Week" in El Dorado County.

**This matter was Approved on the consent calendar.**

18. [11-0360](#) Supervisor Nutting recommending the Board adopt a Proclamation recognizing April 2011, as "Sexual Assault Awareness Month" in El Dorado County.

**A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to adopt the Proclamation.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

19. [11-0366](#) Supervisor Briggs recommending the Board authorize Chair to sign a letter in support of SB 726 (Berryhill), a proposal pertaining to local control governance over the requirement for fire sprinkler systems in single-family residential dwellings.

This matter was Approved on the consent calendar.

## END CONSENT CALENDAR

## DEPARTMENT MATTERS

20. [11-0357](#) Supervisor Sweeney hereby submits his resignation as the representative of the Board of Supervisors of the County of El Dorado to the Sacramento-Placerville Transportation Corridor Joint Powers Authority. (Est. Time: 15 Min.)

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

Yes: 4 - Knight, Nutting, Briggs and Santiago

Abstained: 1 - Sweeney

21. [11-0315](#) Chief Administrative Office recommending the Board make a finding that a specific project (Ryan Second Dwelling Project) will provide significant community benefit by providing housing that is affordable to very low-, low-and/or moderate-income households and award a Traffic Impact Mitigation (TIM) Fee Offset of \$27,180 in accordance with Board Policy B-14. (Est. Time: 5 Min.)

**FUNDING:** Traffic Impact Mitigation Fees.

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

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

22. [10-1283](#) Sheriff's Department recommending the Board receive an update on Sheriff's Budget as directed from January 11, 2011 meeting Item 11 and provide direction pertaining to same for FY2011-12. (Cont'd 1/11/11, Item 11) (Est. Time: 1 Hr.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, as follows:

- 1) Schedule a workshop for a Budget Recap on April 25, 2011;
- 2) Request that the Sheriff return with his department's, staffing patterns, organizational charts, and justification for the positions being proposed; and
- 3) Direct the Chief Administrative Officer to bring the FY 2011/12 Budget Recap.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago



23. [11-0209](#) Development Services Department recommending the Board authorize Chair to:
- 1) Sign Agreement for Services 351-S1111 with Tschudin Consulting Group to prepare an Environmental Impact Report (EIR) for the Zoning Ordinance update effective upon final execution for one (1) year with the option to extend for two (2) additional one (1) year periods at a not to exceed amount of \$221,580 on a time and material basis; and
  - 2) Sign a budget transfer decreasing General Fund Contingency by \$221,580 and increasing appropriations in Development Services by \$221,580 to fund the Agreement. (4/5 vote required) (Est. Time: 20 Min.)

**FUNDING:** General Fund.

**This matter was continued to April 12, 2011 upon approval of the consent calendar.**

24. [11-0178](#) Department of Transportation recommending the Board receive and file a report on the County departments' compliance with Board Policy D-4 "Vehicle Use-Privately Owned and County Owned Vehicles." (Cont'd 3/8/11, Item 12) (Est. Time: 15 Min.)

**A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to receive and file the report.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

**2:00 P.M. - TIME ALLOCATION**25. [10-1327](#)**Applicant is requesting the Board continue this item off calendar.**

Hearing to consider the recommendation of the Planning Commission on Rezone Z07-0040/Tentative Map TM07-1454/Special Use Permit S09-0012/Sundance Subdivision on property identified by APNs 104-520-04, 104-520-05, and 104-520-06, consisting of 298.19 acres, in the Pilot Hill area, submitted by Christopher A. Beauchamp; and recommending the Board take the following action:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
- 2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and mitigation measures listed in Attachment 1;
- 3) Approve Z07-0040 rezoning APNs 104-520-04, 104-520-05, and 104-520-06 from Exclusive Agricultural (AE) to Estate Residential (RE-10) based on the Findings listed in Attachment 1;
- 4) Conditionally approve Tentative Map TM07-1454 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
- 5) Approve Special Use Permit S09-0012 based on the Findings listed in Attachment 1 and based on the movement of the location of the gate as identified;
- 6) Approve the following design waiver requests since the appropriate Findings have been made:
  - (a) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
  - (b) Permit a reduction in the shoulder width for proposed Road B from 10 feet to two feet as required in the Design and Improvement Standards Manual; and
- 7) Adopt Ordinance for said rezone. (Supervisory District IV)(Cont'd 1/11/11, Item 13)

**A motion was made by Supervisor Briggs, and seconded by Supervisor Knight to continue this item off calendar.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

26. [11-0263](#)

Department of Transportation recommending the Board consider the following:

- 1) Approve the Department of Transportation's reorganization proposal;
- 2) Approve and authorize the Chair to sign a Resolution which amends Resolution 089-2010, the Authorized Personnel Allocation for the Department of Transportation; and
- 3) Approve a deviation in the order of layoff from retention points in accordance with Article 12, Section E., of the Memorandum of Understanding between the County and the El Dorado County Employee's Association, Local No. 1 for the classification of Sr. Civil Engineer. (Est. Time: 1.5 Hrs.) (Cont'd 3/29/11, Item 22)

**Resolution 056-2011**

**A motion was made by Supervisor Knight, and seconded by Supervisor Sweeney to deny the Department of Transportation's request for the deviation order.**

**Yes:** 3 - Knight, Sweeney and Santiago

**Noes:** 2 - Nutting and Briggs

**A motion was made by Supervisor Nutting, seconded by Supervisor Briggs as follows:**

- 1) Approve the Department of Transportation's reorganization proposal;
- 2) Adopt Resolution 056-2011 which amends Resolution 089-2010, the Authorized Personnel Allocation for the Department of Transportation; and
- 3) Direct the Chief Administrative Officer to return on May 24, 2011 with a review of the Department.

**Yes:** 4 - Nutting, Sweeney, Briggs and Santiago

**Noes:** 1 - Knight

[11-0270](#)**CAO REPORTS**

**The Chief Administrative Officer reported on emergency purchases which had been made for February and March 2011. (Attachment**

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

Supervisor Sweeney discussed the importance of receiving the Board packets on Thursdays at 10:00 A.M.

Supervisor Santiago discussed that the State of Nevada is seeking ways to get out of the TRPA.

She further discussed that the City of South Lake Tahoe and the League to Save Lake Tahoe have issues regarding the Community Plan.

Supervisor Nutting discussed Suction Dredging and the Planning Rule. He also reported that El Dorado County has been asked to participate in a Mini Grant by Bill Gates Foundation - Ready by 21 - EDCOE, Folsom Lake College, and the Boys and Girls Club. He read the letter received from the Masako in Warabi City, Japan.

**CLOSED SESSION**

27. 11-0321 Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee.  
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: 10 Min.)  
**No Action Reported.**
28. 11-0365 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Correa Construction v. County of El Dorado, El Dorado County Superior Court Case No. PC20100603. (Est. Time: 10 Min.)  
**No Action Reported.**
29. 11-0369 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: CSA No. 7 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 30 Min.)  
**No Action Reported.**

**ADJOURNED AT 4:47 P.M. IN HONOR OF OUR SISTER CITY, WARABI CITY,  
AND THE PEOPLE OF JAPAN .**