



County of El Dorado

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MEETING AGENDA Board Of Supervisors

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

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, April 13, 2010

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.

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.

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 subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

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

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

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.

OPEN FORUM

BUDGET UPDATE

PRESENTATION

1. [10-0345](#) **PRESENTATION** by Jennifer Lawrence, Executive Director, Choices For Children, Countywide Child Care Resource and Referral Agency on Child Care, Education and Support Services.

CONSENT CALENDAR

2. [10-0344](#) Approval of Board of Supervisors Meeting Minutes from the Special Meeting of Monday, April 5, 2010 and the Regular Meeting of Tuesday, April 6, 2010.

3. [10-0130](#) Air Quality Management District (AQMD) recommending the Board of Supervisors authorize the Chair to sign the following Agreements pertaining to AB923 DMV Fees funding for New School Bus Replacement Projects:
- 1) Agreements 018-AB923-09/10-BOS and 019-AB923-09/10-BOS with Black Oak Mine Unified School District;
 - 2) Agreement 020-AB923-09/10-BOS with Gold Oak Union School District; and
 - 3) Agreement 021-AB923-09/10-BOS with Pollock Pines School District.

FUNDING: AQMD Special Revenue Fund.

4. [10-0280](#) District Attorney recommending the Board approve the expenditure of the State Fiscal Year 2008/2009 Supplemental Law Enforcement Services Fund (SLESF) allocation, including estimated interest; and authorize the Chair to sign the accompanying Budget Transfer. (4/5's vote required)

FUNDING: State Supplemental Law Enforcement Services Fund.

5. [10-0279](#) Environmental Management Department recommending the Board approve the continuance of a perpetual agreement 021-A-06/07-BOS with Thomas M. Bruen for on-going legal services and support through the remainder of Fiscal Year 2009-2010 and Fiscal Year 2010-2011; and authorize the Purchasing Agent to encumber funds for the same period.

6. [10-0288](#) Environmental Management Department recommending the Board authorize Chair to sign Resolution and Agreement 10-002-250 with the State of California State Water Resources Control Board, in the amount of \$83,000 for the term July 1, 2010 through June 30, 2011 to provide services for the Local Oversight Program.

7. [10-0103](#) Health Services Department recommending the Board approve the Maternal, Child and Adolescent Health (MCAH) budget for Fiscal Year 2009-2010 and accept the associated allocation from the California Department of Public Health for Fiscal Year 2009-2010 in the amount of \$236,713.

FUNDING: Federal - Title V Maternal and Child Health Grant funds; Federal - Title XIX Medicaid Match; Health Services Dept - PH Realignment Match; EDU High School District - Healthy Start Program Match.

8. [10-0274](#) Health Services Department recommending the Board approve and authorize the Chair to sign Budget Transfer 2010063 adjusting revenues and corresponding appropriations in various Alcohol and Drug Program indexes by an overall net increase of \$67,599 of combined State and Federal revenue. (4/5 vote required)

FUNDING: State/Federal Alcohol and Drug Allocations.

9. [10-0289](#) Health Services Department recommending the Board :
- 1) Authorize the Chair to sign Agreement 101-162-P-R2010 with the County of Sacramento Department of Human Assistance for the term January 1, 2010 through December 31, 2010, for Housing Opportunities for Persons with AIDS (HOPWA) funding in 2010; and
 - 2) Adopt Resolution authorizing the Health Services Department Director to sign the "Certificate Regarding Lobbying" and authorizing submission of claims and other financial documentation for Agreement 101-162-P-R2010.

FUNDING: Grant funding through Sacramento County.

10. [10-0295](#) Human Resources Department recommending the Board authorize the Chair to sign Amendment II to Agreement 758-S0810 with the law offices of Meyers, Nave, Riback, Silver and Wilson extending the term for one additional year and increasing the compensation amount by \$15,000 to a not to exceed amount of \$40,000 for a term of three years for the continued provision of professional legal services to the Civil Service Commission on an "as-requested" basis.

11. [09-1365](#) Human Resources Department recommending the Board of Supervisors, sitting as the In-Home Supportive Services (IHSS) Public Authority, adopt a Resolution for completion of negotiations by contracted negotiator Bruce Heid, IEDA, representing the Governing Board of said Authority as established under Ordinance No. 4612 adding Chapter 8.76, Section 8.76.070 by adopting the Memorandum of Understanding (MOU) covering the wages, hours and other terms and conditions of employment between the IHSS Public Authority as the employer of record and the United Domestic Workers of America (UDW), AFSCME, Local 3930, AFL-CIO representing the IHSS Providers who are members of the IHSS bargaining unit as specified in the IHSS Public Authority Resolution 1-02 Employer/Employee Relations Resolution and; and authorize the Chair of the Governing Board of the IHSS Public Authority to sign said Resolution and MOU. (Cont'd off-calendar 3/9/10, Item 6)

12. [10-0230](#) Human Services Department recommending the Board authorize the Chair to sign Budget Transfer 2010056 increasing revenues and appropriations in said Department's Fiscal Year 2009-2010 budget by \$642,931 within Fund 10 Social Services Programs for projected Federal and State allocations of an additional \$323,056, and for Medi-Cal Privacy and Security Compliance funding of \$319,825, including leasehold improvements and the fixed asset purchase of computer and other equipment required for implementation. (4/5 vote required)
- FUNDING:** Federal/State Social Services Allocations - Federal/State Medi-Cal Data Privacy and Security Allocation.
13. [10-0307](#) Human Services Department recommending the Board authorize the Chair to sign a Memorandum of Understanding with the Area 4 Agency on Aging for provision of Health Insurance Counseling and Advocacy Program (HICAP) services in El Dorado County during the period July 1, 2010 through June 30, 2016.
14. [10-0260](#) Sheriff's Department recommending the Board adopt a Resolution approving the submittal of an Application and other documents necessary for Off-Highway Vehicle (OHV) Grant funds from the State Department of Parks and Recreation by the final filing deadline of May 4, 2010.
- FUNDING:** OHV Funds and Vehicle in-Lieu Fees to offset 25% County match.
15. [09-1500](#) Transportation Department recommending the Board authorize the Chair to sign the 10-year Ground Lease for Portable Hangars with Harold E. Stephens, Trustee of the Stephens Family Trust Lease No. 09-52861, Steven C. Lesak Lease No. 09-52862, Peter Thomson Lease No. 09-52863, C. Stephen and Claudette Cowell and Laura Bryant Lease No. 09-52864, Wanda H. Nagel Lease No. 09-52865, Cynthia and James Mullett Lease No. 09-52866, Bill Boggess Lease No. 09-52867, Jim DeVore Lease No. 09-52868, Lawrence E. Alleman, Trustee of the Alleman Family Trust Lease No. 09-52869 at the Placerville Airport and Robert Jessup Lease No. 09-52870 at the Georgetown Airport. (4/5 vote required)
- FUNDING:** Placerville and Georgetown Airports Enterprise Fund - Fee Revenue.

16. [09-1501](#) Transportation Department requesting authorization to terminate the Ground Leases with William V. Norberg Golden Foothill, LLC Lease No. 222-L0611, Barry and Juli Miller Lease 384-L0711, Gregory A. and Jennifer M. Joy Trustee's Lease No. 382-L0711, Al Hamilton Lease dated February 28, 1989, Carl Madsen Lease dated August 26, 1993; and recommending the Board authorize the Chair to sign the 10 year Ground Lease for Portable Hangars with Al Herron Lease No. 09-52871, Al Hamilton Lease No. 09-52872, Ronald E. and Sharon C. Baierlein Lease No. 09-52873, Marc E. Regelbrugge Lease No. 09-52874, Jeremy Lamberson Lease No. 09-52875 at the Placerville Airport. (4/5 vote required per County Ordinance 3.08.021)

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

17. [10-0190](#) Transportation Department recommending the Board authorize the Chair to sign the following pertaining to the Missouri Flat Road/Golden Center Drive Traffic Signalization Project:
- 1) Reimbursement Agreement for the Engineering of the Traffic Signals and Acquisition of Related Appurtenances at the Intersection of Missouri Flat Road and Golden Center Drive between the County and Granite Grado Ventures - Project I, LLC; and
 - 2) Assignment and Assumption of Plans and Specifications - "Project Plans for the Construction of Missouri Flat Road / Golden Center Drive Traffic Signalization."

FUNDING: Zones 1-7 of the 2004 General Plan Traffic Impact Mitigation Fee (West Slope TIM) fund.

18. [10-0353](#) Supervisor Knight recommending the Board adopt a Resolution encouraging the purveyors of public facilities and services to join the County of El Dorado in support of the construction of affordable housing by deferring, waiving or substantially reducing fees related to the development of this in-fill project through the Habitat for Humanity program.

19. [10-0349](#) Supervisor Nutting requesting the Board approve and authorize the Chair to sign a letter of support to Chrysler Corporation, LLC on behalf of Tony Mantalbano, President and Chief Executive Officer of Family Chevrolet Cadillac, in support of retention of the dealership in the town of Shingle Springs, California.

20. [10-0356](#) Supervisor Santiago recommending the Board adopt a Resolution declaring the month of April 2010 as "National County Government Month."

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

21. [10-0308](#) HEARING - Public Housing Authority recommending the Board of Supervisors, sitting as the Governing Board of the El Dorado County Public Housing Authority (EDCPHA), adopt a Resolution to:
- 1) Acknowledge that the EDCPHA as a high performing agency and therefore subject to the United States Department of Housing and Urban Development (HUD) requirement to submit a modified Five-Year Agency Plan as determined under Title VII of the Housing and Economic Recovery Act of 2008 and approve said modified Plan for submittal to the Department of Housing and Urban Development; and
 - 2) Approve an updated Family Self-Sufficiency Action Plan as a component of the EDCPHA Agency Plan;
 - 3) Approve a required annual amendment to the PHA Administrative Plan for the Section 8 Housing Choice Voucher Program for submittal to the Department of Housing and Urban Development;
 - 4) Authorize the Chair to sign the accompanying PHA Civil Rights Certification and Certification of Compliance with PHA Plans and Related Regulations; and
 - 5) Recognize the contribution of the PHA Participant Advisory Board in assisting with development of the Administrative Plan and amendments. (Est. Time: 15 Min.)
22. [10-0313](#) Environmental Management Department recommending Board authorizes Chair to sign Agreement No. 443-S1011 with Bryan A. Stirrat and Associates for the construction management of the Cap System, French Drain and Landfill Gas Emission Control System for OU-1 at the Meyer's Landfill for the period of April 20, 2010 through January 1, 2011, and a total not to exceed amount of \$539,990.

23. [10-0173](#) Chief Administrative Office and Development Services Department recommending the Board consider the Development Services budget, as follows:
- 1) Adopt resolution amending the authorized personnel allocation to delete 2 FTE Building Inspectors (filled), 1 FTE Assistant/Associate Planner (vacant) and 1 FTE Sr. Planner (filled);
 - 2) Provide direction regarding changes to Development Services fee structure and funding for program priorities; and
 - 3) Take action on any related recommendations or discussion associated with the Development Services budget in the current fiscal year or subsequent fiscal year. (Cont'd 4/6/10, Item 34)
24. [10-0270](#) Development Services Department seeking Board direction on the draft 2010/2011 Twelve-Month Action Plan and Future Implementation Program. (Refer 3/22/10, Item 2))
25. [10-0364](#) Chief Administrative Officer recommending the Board reconsider its February 23, 2010 action to hire an outside auditor and bond counsel relative to the Community Facilities District No. 1992-1 (El Dorado Hills) Mello-Roos fund; and further recommending the Board Clerk reset the hearing on the Serrano Associates LLC request for refund of Mello-Roos taxes - Revenue and Taxation Code Section 5096.

2:00 P.M. - TIME ALLOCATION

26. [10-0294](#) HEARING - Consider the recommendation of the Planning Commission on Rezone Z09-0004/Special Use Permit S09-0011/Brookshire Gardens Events Center and Bed and Breakfast on property identified by APN 331-111-05, consisting of 1.55 acres, in the El Dorado area, submitted by Kurt Sommerdyke; 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 CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures listed in Attachment 1;
 - 3) Approve Z09-0004 rezoning APN 331-111-05 from Estate Residential 10-Acre (RE-10) to Planned Commercial (CP) based on the findings listed in Attachment 1;
 - 4) Approve Special Use Permit S09-0011, based on the findings and subject to the conditions listed in Attachment 1; and
 - 5) Adopt Ordinance for said rezone. (Supervisory District III) (Est. Time: 20 Min.)

27. [10-0298](#) HEARING - Consider the recommendation of the Planning Commission on Rezone Z08-0031/Planned Development PD08-0019/Tentative Map TM08-1479/Serrano Village J5 & J6 on property identified by APNs 123-040-07, 123-040-09, and 115-400-13, consisting of 50.06 acres, in the El Dorado Hills area; submitted by Serrano Associates, LLC; and recommending the Board take the following actions:
- 1) Certify the project is Statutorily Exempt pursuant to Section 15182 of the California Environmental Quality Act (CEQA) Guidelines;
 - 2) Approve Z08-0031 rezoning the following: APN 115-400-13 (approximately 0.35 acres) from Recreational Facility (RF) to One-Family Residential-Planned Development (R1-PD); APN 123-040-07 (approximately 6.99-acre portion) from Planned Commercial-Planned Development (CP-PD) to One-Family Residential-Planned Development (R1-PD); and APN 123-040-09 (approximately 20.01-acre portion) from Planned Commercial-Planned Development (CP-PD) to One-Family Residential-Planned Development (R1-PD) based on the Findings listed in Attachment 1;
 - 3) Approve PD08-0019, adopting the Development Plan as the official Development Plan, based on the Findings and subject to the Conditions listed in Attachment 1;
 - 4) Approve Tentative Map TM08-1479 based on the Findings and subject to the Conditions as listed in Attachment 1;
 - 5) Approve the following design waiver requests as the appropriate findings have been made as listed in Attachment 1: (A) Modification to Standard Plan 101 B including a reduction of right-of-way width from 60 feet to 36 feet, reduction of road pavement from 28 feet to 27 feet, construction of a 4-foot wide sidewalk on one side only, and construction of modified rolled curb; (B) Reduction of turnaround cul-de-sac right-of-way from 60 feet to 47 feet and road width radius from 50 feet to 40 feet at the end of Streets A, B and C; and reduction of centerline curve radius from 100 feet to 38.5 feet for an elbow on A Street; and (C) Modification of standard road encroachment under Standard Plan 110 to allow for an entry gate and landscaping median; and
 - 6) Adopt Ordinance for said rezone. (Supervisory Districts I and II) (Est. Time: 1 Hr.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

28. 10-0347 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 118-110-03. The person or persons with whom the negotiator may negotiate are MJ318, LP, a California Limited Partnership, as to an undivided 45.9743% interest; Angelo K. Tsakopoulos, a married man as to an undivided 12.2070% interest; Tsakopoulos Family Partnership, a California General Partnership, as to an undivided 22.3677% interest; and John C. Kemp and Lesley Ann Kemp, Trustees of the John C. Kemp and Lesley Ann Kemp Family Trust dated May 4, 1990, as to an undivided 19.4510% interest. Instructions to negotiator will concern price and terms of payment. Pete Feild, Right-of-Way Program Manager, will be the negotiator on behalf of El Dorado County.
29. 10-0348 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 117-020-15. The person or persons with whom the negotiator may negotiate are Dennis A. and Denice Gardemeyer, Trustees of the Gardemeyer Revocable Trust dated March 10, 1993. Instructions to negotiator will concern price and terms of payment. Pete Feild, Right-of-Way Program Manager, will be the negotiator on behalf of El Dorado County.
30. 10-0358 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN No. 109-480-21-10. The person or persons with whom the negotiator may negotiate: Brea Roundtree or other representative with Butte Community Bank. Instructions to negotiator will concern both price and term of payment. Louis B. Green, County Counsel, and Pete Feild, Right-of-Way Program Manager, will be the negotiator on behalf of El Dorado County.
31. 10-0346 Pursuant to Government Code Section 54956.9(a): **Conference with Legal Counsel - Existing Litigation**: Title: Yubacon, Inc. v. El Dorado County Department of Transportation, Arbitration Case No. A-0016-07; Yubacon, Inc. v. El Dorado Irrigation District, et al., El Dorado County Superior Court Case No. PC20070379. Number of potential cases: (2).
32. 10-0357 Pursuant to Government Code Section 54956.9(c): **Conference with Legal Counsel - Initiation of Litigation**. Number of potential cases: (1).

33. 10-0352 Pursuant to Government Code Section 54957.6; **Conference with Labor Negotiator.**
County Negotiator: Bruce Heid, IEDA.
Employee Organization: United Domestic Workers of America (UDW)/AFL-CIO representing the Independent Providers providing services under the In Home Supportive Services Public Authority program.

34. 10-0333 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Air Pollution Control Officer.

3:15 P.M. - TIME ALLOCATION - INFORMATION TECHNOLOGIES INTERVIEWS

CLOSED SESSION

35. 10-0324 Pursuant to Government Code Section 54957, **Public Employee Interviews:** Title: Director of Information Technologies.

ADDENDUM

CONSENT CALENDAR:

36. [09-1538](#) Health Services Department recommending the Board authorize the Chair to sign the Certificate of Assurance of Compliance, and Special Conditions, and initial each page of said document for the California Emergency Management Agency for Recovery Act - Justice Assistance Grant (JAG) in the amount of \$293,654.

FUNDING: American Recovery and Reinvestment Act of 2009 funds via the California Emergency Management Agency (Cal EMA) and the California Department of Alcohol and Drug Program.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 2, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)
South Lake Tahoe - Charter Cable 21, Daily - Time varies

ANNOUNCEMENTS

Special Meeting - Monday, May 24, 2010 9:00 a.m. - 5:00 p.m. - Presentation by Citygate Associates, LLC - Fire and Emergency Services Study for El Dorado LAFCO.