



# County of El Dorado

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## Minutes - Final Board of Supervisors

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

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

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Tuesday, September 29, 2009

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) 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 large amounts of 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

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

### 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 Knight, to Adopt the Agenda and Approve the Consent Calendar with the following exceptions: Items 10 and 19 were pulled from the Consent Calendar.**

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

### OPEN FORUM

### 10:00 A.M. - TIME ALLOCATION

1. [09-0452](#) Health Services Department recommending Chairman be authorized to sign Amendment III to Agreement 200-S0811 with El Dorado County Emergency Services Authority Joint Powers Authority (JPA) to:  
(1) Extend the term through June 30, 2018;  
(2) Require maintenance of a minimum fund balance of \$3,000,000 for County Service Area No. 7 and allow the JPA to use fund balance exceeding this minimum for special projects or activities approved by the JPA Board of Directors if such fund balance is not otherwise necessary to cover projected excess expenditures or revenue deficits; and define the process for annual budget review/development, fiscal forecasting, and contract payment; and  
(3) Allow the County to reimburse the JPA for procuring the services of a Certified Public Accountant (CPA) to perform annual audits of the JPA's books and records. (Continued 8/18/09, Item 1)

**FUNDING:** Property tax, special tax, and fee-for-service ambulance billing revenue.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve this matter as amended.**

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

**BUDGET UPDATE**

*Informally directed the Chief Administrative Officer to prepare a letter to Senator Cox for the October 6, 2009 meeting in concurrence with his philosophy and requesting his support for funding to replace the funds the State is taking from the County.*

**CONSENT CALENDAR**

2. [09-1218](#) Approval of Board of Supervisors Meeting Minutes for the Special Meetings of Thursday, September 17, 2009, and Monday, September 21, 2009, and the Regular Meeting of Tuesday, September 22, 2009.  
**This matter was Approved on the consent calendar**  
**A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to approve the minutes of September 22, 2009 as amended: the action for Item 23 to include Adopted Resolution 213-2009.**
  
3. [09-1149](#) Air Quality Management District (AQMD) recommending Chairman be authorized to sign Amendment I to Funding Agreement No. 010-DMV-08/09-BOS (014-F0910) with El Dorado County Department of Transportation (DOT) extending the term from July 1, 2008 through December 31, 2010 to complete the El Dorado Hills SMUD Corridor Class I Bike Path Project.  
**FUNDING:** AQMD Special AB2766 Department of Motor Vehicle (DMV) Funding.  
**This matter was Approved on the consent calendar**
  
4. [09-1142](#) Air Quality Management District (AQMD) recommending Chairman be authorized to sign Amendment III to Funding Agreement No. 013-DMV-05/06-11 with El Dorado County Department of Transportation (DOT) extending the term fourteen additional months through December 31, 2010 to complete the Diesel Fleet Retrofit Project.  
**FUNDING:** AQMD Special AB2766 Department of Motor Vehicle (DMV) Funding.  
**This matter was Approved on the consent calendar**
  
5. [09-1186](#) Chief Administrative Office recommending adoption of Resolution adopting the County Final Budget and Budgets for Board Governed Special Districts for Fiscal Year 2009-2010 Budget.  
**Resolution 216-2009**  
**Adopted Resolution 216-2009 upon adoption of the consent calendar.**

6. [09-1222](#) Chief Administrative Office recommending adoption of Resolution adopting Fiscal Year 2009-2010 Budget for El Dorado County Air Quality Management District.  
**Resolution 217-2009**  
Adopted Resolution 217-2009 upon approval of the consent calendar.
7. [09-1221](#) Chief Administrative Office recommending adoption of Resolution adopting Fiscal Year 2009-2010 Budget for El Dorado County Public Housing Authority.  
**Resolution 218-2009**  
Adopted Resolution 218-2009 upon approval of the consent calendar.
8. [09-1220](#) Chief Administrative Office recommending adoption of Resolution adopting Fiscal Year 2009-2010 Budget for El Dorado County In-Home Supportive Services Public Authority.  
**Resolution 219-2009**  
Adopted Resolution 219-2009 upon approval of the consent calendar.
9. [09-0825](#) Adoption of Ordinance **4829** amending Section 1 of Ordinance No. 4825 (Cameron Hills Subdivision/Douglas Hanzlick) to include the existing Airport Safety Zone District (-AA). (Cont'd 9/22/09, Item 26) (Supervisory District I)  
Adopted Ordinance 4829 upon approval of the consent calendar.
10. [09-1129](#) Environmental Management Department recommending the Board approve the Request for Proposals (RFP) for the Development of a Countywide Solid Waste Management Plan.

*PUBLIC COMMENT*

*B. Johnston RE: Need to clarify what the citizens want from a waste management company. El Dorado County does not get enough from the waste management company.*

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

- 1) Approve to release the Request for Proposals with the following amendments:
  - i) Project Scope of Work, Section 1, West Slope Joint Powers Authority, Bullet 1 change "incorporate: to "include";
  - ii) Project Scope of Work, Section 1, West Slope Joint Powers Authority, Bullet 2 add at the end "and discussion of compliance with mandated reductions";
  - iii) Submittal Requirements, first paragraph, after the words electronic copy add "capable of being posted to the County web site without modification or conversion"; and
- 2) Direct County Counsel or special counsel to provide an opinion regarding the ability of a Community Service District to provide refuse collection under their laws and what effect AB939 has regarding these laws.

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

11. [09-1177](#) Health Services Department recommending the Board approve application for expedited allocation to the California Department of Public Health, Emergency Preparedness Office, to receive twenty-five percent (25%) of Fiscal Year 2009-2010 Federal H1N1 Supplemental Funds in the amount of \$88,071, contingent upon County Counsel and Risk Management review and approval of the application.
- FUNDING:** Federal H1N1 allocations.
- This matter was Approved on the consent calendar**
12. [09-1119](#) Health Services Department recommending Chairman be authorized to sign Amendment II to Agreement 07-NNA09 with the State of California, Department of Alcohol and Drug Programs (ADP), increasing funding by \$35,791 to \$1,655,546 for the term July 1, 2007 through June 30, 2010 for the Fiscal Year 2008-2009 State Net Negotiated Amount (NNA) budget.
- FUNDING:** State of California Alcohol & Drug Program.
- This matter was Approved on the consent calendar**
13. [09-1181](#) Human Services Department recommending the Board, as the Governing Board of the In-Home Supportive Services Public Authority (IHSS PA), authorize the Chairman to sign Agreement for Services 075-S1010 with Industrial Employers and Distributors Association, doing business as IEDA, in the amount of \$25,000 for the term October 1, 2009 through September 30, 2010, to provide consultation and advice on employer-employee relations to the El Dorado County In-Home Support Services Public Authority.
- FUNDING:** 85% Federal/State In-Home Supportive Services Public Authority Funds with 15% required County General Fund Match.
- This matter was Approved on the consent calendar**
14. [09-1206](#) Human Resources Department recommending the Board designate the Director of Human Resources as the Authorized Representative responsible for implementing the new rules enacted as part of the revised Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA) Responsibilities; and authorize the Director of said Department to designate an Account Manager, responsible for electronic reporting to Centers for Medicare and Medicaid Services (CMS), any payments to a Medicare eligible claimant.
- This matter was Approved on the consent calendar**

15. [09-0628](#) Transportation Department recommending the Board take the following actions pertaining to the Echo View Estates 2 Erosion Control Project (JN 95169):
- (1) Adopt the Mitigated Negative Declaration (MND) for the project;
  - (2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study/Mitigated Negative Declaration Document);
  - (3) Approve the Echo View Estates 2 Erosion Control Project as described in the California Environmental Quality Act (CEQA/ MND) Document;
  - (4) Authorize Department staff to seek appraisals and title reports for the following Assessors Parcel Numbers which are within the Project area; 033-020-12 (Lampson), 033-332-18 (Heinzerling) and 033-322-16 (Skipworth); and
  - (5) Authorize the Director of Transportation or his designee to sign the Notice of Determination.

**FUNDING:** Tahoe Regional Planning Agency, California Tahoe Conservancy, and United States Forest Service Lake Tahoe Basin Management Unit grant funds.

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

16. [09-1138](#) Transportation Department recommending adoption of a Resolution sanctioning the closure of Harvard Way between Tah-Nee Way and Silva Valley Parkway; Clermont Way between Harvard Way and Brisbane Circle; Brisbane Circle West between Clermont Way and St. Andrews Drive; St. Andrews Drive between Brisbane Circle West and Brisbane Circle East; Brisbane Circle East between St. Andrews Drive and Clermont Way; Springburn Way west of Brisbane Circle; and the complete closure of Rochampton Place, Holleston Place, Normanton Place, Fitzroy Place, Teally Place, Springburn Place, Forbes Place, Ranken Place, Pemberton Way, Northam Way, Murrell Place, Williston Way, Hedland Place, Canberra Place, Alburn Place, and Ravenshoe Way, on Friday, October 16, 2009 between 4:00 pm and 5:00 pm, for the "Oak Ridge High School Homecoming Parade," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

**Resolution 220-2009**

**Adopted Resolution 220-2009 upon approval of the consent calendar.**

17. [09-1110](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Lease Agreement 123-L0511 with Pacific States Development Corporation to convert the lease to a month to month tenancy effective September 15, 2009 in the amount of \$1,718.15 per month, cost per 1,004 square feet is \$1.7113 per square foot.
- FUNDING:** General fund.
- This matter was Approved on the consent calendar**
18. [09-0958](#) Transportation Department recommending Chairman be authorized to sign Lease Agreement 067-L1010 with Joseph H. Avendano Sr. in the amount of \$6,600 (\$1,650 per month) for temporary housing of the Snow Removal Crew, located at 551 McKinney Road in Tahoma to commence on December 1, 2009 and terminate on March 31, 2010 with the option for an additional one (1) month period, cost for 1,408 square feet is \$1.1719 per square foot.
- FUNDING:** Road Fund.
- This matter was Approved on the consent calendar**
19. [09-0957](#) Transportation Department recommending Chairman be authorized to sign Amendment II to Lease Agreement 448-L0811 with Broadway Plaza, a Partnership of Judith E. Puthuff and Waldron family Partnership to vacate a portion of the premises commencing November 1, 2009 thereby reducing the lease payments, and to correct and change the actual start date to May 1, 2008 and to correct the expiration date to April 30, 2013 the ending of the first five (5) year term, cost per 6,020 square feet is \$1.41 per square foot.
- FUNDING:** General Fund.
- NO PUBLIC COMMENT*
- A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to approve this matter.**
- Yes:** 4 - Sweeney, Nutting, Briggs and Santiago
- Absent:** 1 - Knight
20. [09-1207](#) Transportation Department recommending Chairman be authorized to sign Subordination, Acknowledgement of Lease Assignment, Non-Disturbance and Attornment Agreement, related to Lease No. 309-L0811, with Durock Properties LLC.
- This matter was Approved on the consent calendar**

21. [08-1761](#) Clerk of the Board of Supervisors recommending the Board consider amending the 2009 meeting schedule of the Board of Supervisors as follows:  
1) Cancel the regularly scheduled meeting of November 24, 2009; and  
2) Schedule a regular meeting on December 1, 2009.

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

22. [09-1214](#) Supervisor Nutting recognizing Ray Cherney for his 16 years of service to the citizen's and community of the County of El Dorado.

**This matter was Adopted on the consent calendar**

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS**

23. [09-1225](#) Chief Administrative Office recommending adoption of Resolution amending the County's Authorized Personnel Allocation Resolution.  
**Resolution 221-2009**

**A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, to adopt Resolution 221-2009.**

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

**Absent:** 1 - Knight

24. [08-0395](#) Chief Administrative Office providing status update on homeless shelter lease agreement with United Outreach. (Refer 8/25/09, Item 43)

**Received update.**

**2:00 P.M. - TIME ALLOCATION**



25. [09-1167](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z08-0004/Tentative Map TM08-1466/Blackhawk Estates on property identified by APNs 078-200-70 and -71, consisting of 77.42 acres, in the Pleasant Valley area, submitted by Bruce Wirtanen; 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 Z08-0004 rezoning APN 078-200-70 (3.04 acres) from Exclusive Agricultural (AE) to Estate Residential Five-Acre (RE-5) and rezoning APN 078-200-71 (74.38 acres) from Exclusive Agricultural (AE) to Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10) based on the findings listed in Attachment 1;
  - (4) Approve Tentative Map TM08-1466 for APN 078-200-71 based on the findings and subject to the conditions listed in Attachment 1;
  - (5) Approve design waiver requests to: (a) Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and (b) Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual; and
  - (6) Adopt Ordinance for said rezone. (Est. Time: 1/2 hour)  
(Supervisory District II)

*PUBLIC COMMENT*

*G. Siracco RE: Adjacent to the property. Owner was not able to make money due to only growing a few acres of apples. The surrounding area is active agriculture. This particular property is the buffer land surrounded by ranches with cattle. Ranchers burn to clear land for their animals. This rezone will create more conflict in the area.*

**After hearing public testimony, a motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to continue this matter to October 20, 2009.**

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

**Absent:** 1 - Knight

26. [09-1174](#) Hearing to consider a request submitted by Richard and Christina Belmonte appealing the approval of Parcel Map P08-0035/Veffredo by the Zoning Administrator on August 19, 2009, on property identified by APN 076-120-04, consisting of 5.21 acres, in the Cedar Grove area; and Planning Services recommending the Board take the following actions:
- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
  - (2) Deny the appeal thereby upholding the approval of Parcel Map P08-0035 by the Zoning Administrator based on the findings and subject to the conditions listed in Attachment 1. (Est. Time: 1 hour)  
(Supervisory District III)

*DISCUSSION*

*D. Veffredo, applicant RE: In agreement with the continuance to October 6, 2009.*

*PUBLIC COMMENT:*

*There was public comment received for those members of the public present.*

*A. Christianson RE: If the rezone is approved it would mean that she would have a six foot easement on her property. This will not be a problem if there is a retaining wall built. Some of her trees will have to come down. Septic tank is close to the front of the property.*

*L. Allen RE: Owner of the property does not live on the property. Needs to make sure the road is maintained. There will be disruption to the neighborhood.*

**After discussion, the Board members present granted a continuance of this matter to Tuesday, October 6, 2009 at 2:00 p.m.**

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNED AT 3:30 P.M.**

**CLOSED SESSION**

27. [09-1133](#)

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 Sheriff's 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.

**Withdrawn**