



County of El Dorado

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MEETING AGENDA 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*

Tuesday, January 25, 2011

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) 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 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.

10:00 A.M. - PRESENTATIONS

1. [11-0063](#) Supervisor Knight recommending the Board approve a Certificate of Recognition for Fire Chief Brian K. Veerkamp. Chief Veerkamp is retiring from the El Dorado Hills Fire Department after 17 years with a total of 30 years of dedicated service to the citizens of the County of El Dorado. (Est. Time: 5 Min.)
2. [11-0049](#) Presentation by the Child Support Services Director regarding the new Incarcerated Obligor Video. (Est. time: 20 Min.)

11:00 A.M. - TIME ALLOCATION

3. [11-0072](#) Supervisor Briggs recommending the Board receive a presentation by Clark Peri, Project Manager with Caltrans regarding the State Route 49, South Fork of the American River Bridge Seismic Retrofit and Bridge Rail Upgrade Project. (Est. Time 1 Hr.)

OPEN FORUM**BUDGET UPDATE****CONSENT CALENDAR**

4. [11-0071](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes of the Special Meetings of Monday, January 10, 2011, Thursday, January 13, 2011, and the Regular Meeting of Tuesday, January 11, 2011.

5. [10-1306](#) Clerk of the Board of Supervisors recommending the Board approve the following appointments to the Regional Council of Rural Counties.

Regional Council of Rural Counties

Supervisor	Role	Term End	New Term End
Ray Nutting	Member	01/01/2011	01/01/2013
Jack Sweeney	Alternate	01/01/2011	01/01/2013

6. [10-1332](#) Clerk of the Board of Supervisors recommending the Board approve the appointments to the El Dorado Solid Waste Advisory Committee.

7. [10-1258](#) District Attorney's Office recommending the Board approve a budget transfer establishing budget and appropriations within Department FY 2010/2011 budget for purchase and installation of TAB System (4/5's vote required).

FUNDING: Special Revenue Fund.

8. [11-0058](#) District Attorney recommending the Board authorize the continuation of Departments perpetual agreements with the following for a period of one year:

- 1) Accurint;
- 2) Lexipol, Agreement 640-S0911;
- 3) Department of Justice, Agreement 01-098-01; and
- 4) Constellation Justice Systems, Agreement 317-S0111.

FUNDING: General Fund.

9. [10-0886](#) County Counsel recommending the Board continue to Tuesday, February 8, 2011 the update on a proposal method to reduce the account balance in regard to the future levy of special district taxes in Community Facilities District No. 1992-1, and consider adoption. (Cont'd 1/11/10, Item 6)

10. [11-0065](#) Elections Department recommending the Board consolidate the Tahoe Truckee Unified School District Election with the upcoming State Assembly District 4 Special Primary Election to be held Tuesday, March 8, 2011.
11. [11-0045](#) El Dorado County Fair Board of Directors inviting the Board of Supervisors to attend an informal luncheon and presentation on Tuesday, February 1, 2011 at 12:00 noon at the El Dorado County Fairgrounds.
12. [11-0040](#) Health Services Department recommending the Board:
1) Authorize the Chair to sign Agreement 101-162-P-R2011 (DHA\CS-ELD-01-11) with Sacramento County Department of Human Assistance for the term January 1, 2011 through December 31, 2011, for Housing Opportunities for Persons with AIDS (HOPWA) funding in 2011; and
2) Adopt Resolution authorizing the Health Services Department Director, and specified subordinates, to submit claims and other financial documentation for said Agreement.

FUNDING: Grant funding through Sacramento County.

13. [11-0003](#) Department of Human Services recommending the Board authorize the Chair to sign Operational Agreement 287-M1010 with the Economic Development Corporation of El Dorado County for the enhancement of workforce and business services in El Dorado and Alpine counties. This Agreement is effective upon execution and shall continue until terminated.
14. [11-0030](#) Department of Human Services recommending the Board authorize the Chair to sign a grant application for submittal to the Alzheimer's Foundation of America, requesting \$5,000 in funding for the Senior Day Care Services University program which provides information and support services to adults who are functionally or cognitively impaired due to Alzheimer's and related disorders and their caregivers.

FUNDING: Alzheimer's Foundation of America Grant.

15. [11-0044](#) Department of Human Services recommending the Board adopt a Resolution authorizing the Chair to sign Agreement 11F-4210 with the California Department of Community Services and Development , for the period January 1, 2011 through December 31, 2011 for 2011 Program Year Community Services Block Grant funds in the initial amount of \$47,449. The Resolution further authorizes the Director of Human Services, or successor, to sign required fiscal and programmatic reports and execute subsequent documents relating to this Agreement, including one or more amendments thereto, contingent upon approval by County Counsel and Risk Management, that collectively increase the dollar amount by up to \$208,367 to the total estimated 2011 grant allocation of \$255,816, and other amendments thereto that do not affect the dollar amount or the term.

FUNDING: Federal CSBG Grant Funds.

16. [11-0036](#) Human Resources, Risk Management Division, recommending the Board approve and authorize the Principal Risk Management Analyst to complete and sign all necessary documents to bind and renew the Placerville and Georgetown Airport liability insurance with Ace Property and Casualty Insurance Company in the amount of \$16,177 for the period of February 5, 2011 through February 5, 2012 which is a 2% increase from the previous year.

Funding: Airport Enterprise Fund.

17. [10-0816](#) Sheriff's Department recommending the Board approve a Budget Transfer adding \$457,414 to said Department's operating budget for the Fiscal Year 2010 Homeland Security Grant Program, and additions to the Fixed Asset List . (4/5's vote required). (Refer 8/3/10, Item 13)

FUNDING: Fiscal Year 2010 Homeland Security Grant.

18. [11-0053](#) Department of Transportation recommending the Board adopt and authorize the Chair to sign a Resolution Transferring Type II Paratransit Buses to Tahoe Transportation District for continued transit services to the unincorporated area of the County.

19. [11-0014](#) Department of Transportation recommending the Board authorize the use of the El Dorado-Sacramento Municipal Utility District Cooperation Agreement Fund (Index 8803311), in the amount of \$30,000 to provide matching funds for two (2) Federal Highway Bridge Program grants for the Rubicon Trail at Ellis Creek - Bridge Replacement Project (CIP No. 77117) and Wentworth Springs Road at Gerle Creek - Bridge Replacement Project (CIP No. 77118).
- FUNDING:** El Dorado-Sacramento Municipal Utility District Cooperation Agreement Fund (Index 8803311).
20. [10-1001](#) Department of Transportation recommending the Board take the following actions:
- 1) Approve and authorize the Chair to sign retroactive Facility Use Agreement No. 207-O1111 with the Garden Valley Fire Protection District for the term November 1, 2010 through October 31, 2012 in the amount of \$150 per month;
 - 2) Authorize the Auditor to pay the arrears amount due under Facility Use Agreement No. 207-O1111 to the Garden Valley Fire Protection District; and
 - 3) Approve and authorize the Chair to sign retroactive Facility Use Agreement No. 209-O1111 with the El Dorado County Fire Protection District for the term December 1, 2010 through November 30, 2012 at no charge to the County.
- FUNDING:** General Fund.
21. [11-0059](#) Supervisor Santiago recommending the Board appoint Nancy Owen-Hazard, Ellen Vaughn and Lisa Daly to the El Dorado County Early Care and Education Planning Council.
22. [11-0051](#) Supervisor Santiago recommending the Board consider meeting at 12:00 p.m. for lunch at the El Dorado Community Foundation on February 8, 2011, to meet Foundation Board Members and hear a Presentation by Bill Roby, Executive Director.
23. [10-0179](#) Supervisor Santiago requesting the Board adopt a Resolution approving the use of State Highways 50 and 89 between the County line at Tahoma and South Lake Tahoe through Stateline between the hours of 8:00 p.m. on Friday, June 3, 2011 and 3:00 a.m. Saturday, June 4, 2011 for the 7th Annual Reno-Tahoe Odyssey Relay Run Adventure.

END CONSENT CALENDAR

DEPARTMENT MATTERS

24. [11-0067](#) Clerk of the Board of Supervisors recommending the Board consider the following:
1) Receive the information regarding the creation and procedures of the Assessment Appeals Board; and
2) Appoint Matthew Brozek to the Assessment Appeals Board to fill a vacancy in District IV for a term to expire September 1, 2012. (Est. Time: 15 Min.)(Refer 1/4/11, Item 17)
25. [10-1177](#) Department of Transportation recommending Board provide clarification of Section 7.5 of the "County of El Dorado Department of Transportation Guidelines for Road Impact Fee / Traffic Impact Mitigation Fee Reimbursement Projects" and direct the Department of Transportation to;
1) Allow for the reimbursement of project soft costs for non-publicly bid construction projects and base the 20% soft cost limit on the lower of: the non-publicly bid price, publicly bid price, negotiated contract price, or the engineer's estimate (bond amount) for construction costs; only if the soft costs would have otherwise been allowed if eligible construction was publicly bid; and
2) Exclude right-of-way acquisition costs from the 20% soft cost limit and allow reimbursement of right-of-way acquisition as a hard cost not to exceed the appraised value. (Est. Time: 10 Min.) (Cont'd 12/14/10, Item 33)
26. [10-1123](#) Department of Transportation recommending the Board receive and file the Impact Fee Program Report for Fiscal Year 2009/2010. (Cont'd 12/7/10, Item 23) (Est. Time: 15 Min.)
27. [11-0015](#) Development Services Department recommending the Board adopt a Resolution of Intention authorizing the Development Services Department to proceed with the recommendations of the Agricultural Commission and prepare a draft revision to the agricultural district boundaries, as required under General Plan Measure AF-J. (Est. Time: 15 Min.)
28. [11-0069](#) Supervisor Briggs recommending the Board adopt a Resolution concerning the future management of the Auburn State Recreation Area. (Est. Time: 20 Min.)

29. [08-1466](#) Department of Transportation and Development Services Department reporting back to the Board on options for updating the County's Land Use Forecast and Traffic Impact Mitigation Fee Program in order to adopt an age-restricted fee program. (Refer 12/6/10, Item 2) (Est. Time: 1 Hour)

2:00 P.M. - TIME ALLOCATION

30. [10-1338](#) HEARING - Consider the recommendation of the Planning Commission on Rezone Z10-0001 on property identified by APNs 096-120-45 and 096-120-46, consisting of 21.7 acres, in the Fort Jim/Newtown area, submitted by James E. Wainscott; and recommending the Board take the following action:
- 1) Find the project is Exempt from CEQA pursuant to Section 15061(b) (3) of the CEQA Guidelines;
 - 2) Approve Z10-0001 rezoning APNs 096-120-45 and 096-120-46 from Timberland Preserve Zone (TPZ) to Estate Residential (RE-10) based on the Findings listed in Attachment 1, becoming effective 10 years from the date of approval; and
 - 3) Adopt Ordinance for said rezone. (Supervisory District II) (Est. Time: 10 Min)
31. [11-0052](#) HEARING - Consider an appeal from Mr. David Holtry regarding the decision made on December 15, 2010 by the El Dorado County Code Enforcement Unit and the Administrative Hearing Officer pertaining to case number C187939, a setback violation of trellis in the Four Seasons. (Est. Time: 30 Min.) (District 2)

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

CLOSED SESSION

32. 10-1128 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Serrano Claim for CFD Tax Refund. Number of potential cases: (1). (Cont'd 1/11/11, Item 14) (Est. Time: 15 Min.)
33. 11-0084 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Department of Transportation Fee Program. Number of potential cases: (1).
34. 11-0082 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Cunningham Engineering Corporation Professional Services Agreement. Agreement for Services 066-S0811 and Amendments. Number of potential cases: (1).
35. 11-0074 Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c). Number of potential cases: (1).
36. 11-0083 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: McLaughlin, et al., v. El Dorado County, et al., U.S. District Court, Eastern District of California, Case #S:10-CV-02551-LKK-GGH.
37. 11-0085 Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: El Dorado County [All Bargaining Units], Retiree health Benefits. (Est. Time: 15 Min.)
38. 11-0086 Pursuant to Government Code Section 54957: **Public Employee Appointment:** Title: Air Pollution Control Officer.

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 15, 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, January 24, 2011
9:00 a.m. – 12:00 Noon – Property Tax Increments/Annexations/LAFCO

Regular Meeting – Tuesday, January 25, 2011
9:00 a.m. – Board of Supervisors Meeting Room

Special Meeting - Monday, February 14, 2011
9:00: a.m. - Land Use Manual and Standards Plan

Special Meeting - Monday, February 28, 2011
9:00 a.m. - Animal Services Fee Schedule.