



# 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 22, 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**

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

**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**

Approval of the Consent Calendar

**A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to Approve the Consent Calendar. The motion carried by the following vote**

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

**OPEN FORUM**

**PUBLIC COMMENT**

**T. Schwank RE: Clarification of the General Plan, when ratified, when is the two year window, and when is the five year revision. Reconsider the Prop 90 adoption. The \$18 million dollar deficit is of concern.**

**PRESENTATIONS**

- 1. [09-1162](#) **PRESENTATION** by Supervisor Sweeney proclaiming the month of October 2009 as the 80th Anniversary Celebration of the Placerville Airport.

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

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

- 2. [09-1194](#) **PRESENTATION** of Proclamation by Supervisor Sweeney announcing the 100th Year Celebration and Homecoming Parade for El Dorado High School on Saturday, October 3, 2009.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to adopt the Proclamation.**

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

**BUDGET UPDATE**

**CONSENT CALENDAR**

3. [09-1196](#) Approval of the Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, September 15, 2009.  
**This matter was Approved on the consent calendar.**
4. [09-1159](#) Agricultural Commission recommending the Board certify that the Notice of Non-Renewal for Williamson Act Contract No. 259/Keith Pettus and Celia Domingue-Pettus, APN No. 078-280-15 has been submitted and is consistent with Board of Supervisors' Policy C-9.  
**This matter was Approved on the consent calendar.**
5. [08-1234](#) Chief Administrative Office advising the Board of perpetual Agreement with Daystar Computer Systems, Inc. in the amount of \$10,732 for Fiscal Year 2009-10 to provide online annual maintenance and support for the Legistar Automated Agenda System; and recommending the Board authorize continuation of same.  
**FUNDING:** General Fund.  
**This matter was Approved on the consent calendar.**
6. [09-1188](#) 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.**
7. [09-1156](#) County Counsel recommending the Board of Supervisors authorize the discharge of responsibility for collection of the debts on the Discharge of Accountability Report owed to El Dorado County. Such discharge from accountability does not constitute a release of any person from liability for payment of any amount.  
**This matter was Approved on the consent calendar.**
8. [09-1100](#) District Attorney recommending adoption of Resolution authorizing the him to sign the retroactive Standard Agreement and Certification with the California Victim Compensation and Government Claims Board (VCGCB) for the term beginning July 1, 2009 through June 30, 2011.  
**FUNDING:** Victim Witness Emergency Fund/Revolving Fund- Trust.  
**Resolution 208-2009**  
**Adopted Resolution 208-2009 upon approval of the consent calendar.**

9. [09-1068](#) Health Services Department advising the Board of current perpetual Agreements for Services with County Medical Services Program (CMSP), El Dorado County Fire, Georgetown Fire, Medical Priority Consultants, Netsmart Public Health, Inc., San Joaquin County, Tri-Analytics Software, Computer Works, Inc., and California Regional Mental Health System Coalition (JPA) and recommending the Board authorize continuation of same; and authorize the Purchasing Agent to establish blanket purchase orders as necessary for payment of Fiscal Year 2009-2010 agreements for services.

**FUNDING:** Various funding sources (non General Fund).

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

10. [09-1135](#) Health Services Department recommending Chairman be authorized to sign Memorandum of Understanding (MOU) 856-PHD0609 with the Superior Court of El Dorado County identifying the roles and responsibilities of the County and the Court for Teen Court collaboration, for a term commencing upon execution and continuing until terminated.

**FUNDING:** Substance Abuse Prevention & Treatment (SAPT).

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

11. [09-1075](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign Agreement 676-S0911 with Sacramento Children's Home in the amount of \$100,000 for the term July 1, 2009 through June 30, 2010 to provide specialty mental health services for seriously emotionally disturbed minors on an "as requested" basis for said Department.

**FUNDING:** Funding is provided by Medi-Cal/EPSDT, AB 3632, and Realignment, as determined by the funding sources available and appropriate for each youth placed in this facility.

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

12. [09-1152](#) Human Services Department recommending adoption of Resolution authorizing the Chairman to execute Amendment 1 to Contract AP-0910-29 with the California Department of Aging, reducing the maximum amount by \$258,420, from \$1,215,025 to \$956,605, reflecting the elimination of State General Funds for Community Based Services Programs (CBSP) services effective September 30, 2009; and authorizing the Director of the El Dorado County Area Agency on Aging to execute further documents, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and to sign subsequent required fiscal and programmatic reports.  
**FUNDING:** Federal and State Grant Funding.  
**Resolution 209-2009**  
**Adopted Resolution 209-2009 upon approval of the consent calendar.**
13. [09-1121](#) Human Resources Department recommending the Board authorize retroactive payment in the total amount of \$39,347.80 for invoices pertaining to the Retiree Medical actuarial study and valuation completed by AON Consulting in FY 2008/2009.  
**FUNDING:** Risk Management Health Insurance Fund/Employer, Employee and Retiree Contributions.  
**This matter was Approved on the consent calendar.**
14. [09-1093](#) Human Resources Department recommending the Board adopt a Resolution approving the successor Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Employees Association (EDCEA) Local No 1 representing employees in the General (GE), Professional (PL), and Supervisory (SU) Bargaining Units effective January 1, 2009 through June 30, 2010; and authorize the Chairman to sign said MOU.  
**Resolution 210-2009**  
**Adopted Resolution 210-2009 and authorized the Chairman to sign the Memorandum of Understanding upon approval of the consent calendar.**
15. [09-1143](#) Human Resources Department recommending the Board approve and a Resolution for completion of the impasse procedure by imposing the Modified Last, Best, and Final as attached to the Resolution covering the wages, hours and other terms and conditions of employment between the County of El Dorado and the Operating Engineers, Local No 3 representing employees in the Probation bargaining unit as stipulated in the Employer/Employee Relations Resolution 10-83, as amended, under Article IV, Section 18 (b).  
**Resolution 211-2009 See new business item 30 on 11-03-09**  
**Adopted Resolution 211-2009 upon the approval of the consent calendar.**

16. [09-1182](#) Information Technologies recommending the Board approve the purchase of data/telecommunications fixed assets to accommodate the Department of Human Services relocation to the El Dorado Center in South Lake Tahoe.

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

17. [09-0809](#) Library Director recommending Chairman be authorized to sign Agreement 819-S0911 with Tech Logic Corporation in an amount not to exceed \$61,208.08 for a two-year term to provide hardware, software and ongoing maintenance and support for a radio frequency identification (RFID) self check out system at the Main Library and software upgrades for the current system supporting the El Dorado Hills Library; and Budget Transfer 2010001 appropriating donations in the amount of \$52,461.33 for first year costs. (4/5 vote required)

**FUNDING:** Friends of the Library Donations.

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

18. [09-0356](#) Sheriff's Department advising the Board of a correction to the ending date of the Communications Vault Lease No. 655-L0911 from July 1, 2017 to June 30, 2018, this was previously heard by the Board on April 7, 2009, Item 21.

**FUNDING:** General Fund.

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

19. [09-1184](#) Sheriff's Department recommending the Board authorize the Chairman and the Sheriff to execute the FY2008/09 Equitable Sharing Agreement and Certification.

**FUNDING:** Equitable Sharing (Asset Seizure)

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

20. [09-1146](#) Sheriff's Office recommending Chairman be authorized to sign retroactive Amendment 1 to Agreement 486-S0910 with Motorola, Inc, increasing the compensation amount to an amount not-to-exceed \$100,000 and extending the term through April 30, 2011 to provide depot repair services in accordance with the Agreement dated December 8, 2008.

**FUNDING:** General Fund.

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

21. [09-1170](#) Sheriff's Department recommending Chairman be authorized to sign Agreement 015-L1010 with Peter Garibaldi at an annual cost of \$5,400 for the period covering November 22, 2009 through November 21, 2014 for use of a radio vault on his property in Fairplay, CA.

**FUNDING:** General Fund.

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

22. [09-1134](#) Transportation Department recommending adoption of a Resolution sanctioning the closure of Main Street between Highway 193 and School Street, Harkness Street and Orleans Street between Church Street and South Street, and Placer Street between Church Street and Main Street, in Georgetown, on Sunday, September 27, 2009, between 7:00 am and 7:00 pm for the "Georgetown Founder's Day" event, subject to conditions set forth in Resolution No. 110-79 dated May 1, 1979, and subject to conditions set forth in the "Application for Road Closure."

**Resolution 212-2009**

**Adopted Resolution 212-2009 upon approval of the consent calendar.**

23. [09-1113](#) Transportation Department recommending adoption of a Resolution sanctioning the closure of Church Street between Highway 193 and School Street, and partial closure of Harkness Alley, Orleans Street, and Placer Street where they intersect with Church Street in Georgetown, on Saturday, October 31, 2009, between 5:00 pm and 8:00 pm for the 2009 Georgetown "Safe Halloween" event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

**Resolution 213-2009**

**Adopted Resolution 213-2009 upon approval of the consent calendar.**

24. [09-0962](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Lease Agreement 252-L0911 with Wesley and Gertrude Wilkinson, trustees of the Wilkinson Revocable Trust in the amount of \$1,200 per month for a term of September 1, 2009 through August 31, 2011 for an additional 31 overflow parking spaces for the Department of Human Services.

**FUNDING:** 85% Federal / State Social Services allocation with a 15% County match primarily met with non-General Fund resources.

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

25. [09-1165](#) Treasurer-Tax Collector and the Deferred Compensation Committee recommend the Chairman be authorized to sign the Deferred Compensation Plan Administration Amendment I to the original Agreement with Nationwide Retirement Solutions, Inc., for the replacement of the Washington Mutual Bank investment products with Nationwide Bank investment products.

**FUNDING:** No fiscal impact to the County

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

**END CONSENT CALENDAR**

**NOTICE HEARING**

26. [09-0825](#) Hearing to consider introduction of Ordinance amending Section 1 of Ordinance No. 4825 (Cameron Hills Subdivision/Douglas Hanzlick) to include the existing Airport Safety Zone District (-AA); and recommending final adoption of Ordinance be set for Tuesday, September 29, 2009. (Refer 7/21/09, Item 36) (Supervisorial District I) (Est. Time: 5 Min.)

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

- 1) Approved the introduction of Ordinance 4827;**
- 2) Set the adoption of Ordinance 4827 for Tuesday, September 29, 2009.**

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



**DEPARTMENT MATTERS**

- 27. [09-1103](#) Development Services Department recommending the Board receive and file the annual report for the Oak Woodland Management Plan (OWMP) for FY2008-09; retain the fee amount as presently set with the intention to review and update the fee, if necessary, in March, 2010 as set forth in Section 3 of the OWMP; and continue to utilize staff resources for management, monitoring and acquisition activities associated with the OWMP for at least the current fiscal year. (Est. Time: 10 Min)

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

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

- 28. [08-0832](#) Development Services Department recommending the Board select Sierra Ecosystems Associates as the consultant to prepare the first phase of the Integrated Natural Resources Management Plan (INRMP); and direct staff to work with Purchasing and County Counsel to return with the contract. (Cont'd 8/25/09, Item 37) (Est. Time: 30 Min)

**FUNDING:** County General Fund.

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

- 1) Schedule a Special Meeting for October 26, 2009 at 9:00 a.m. to hear presentations regarding the proposals for the first phase of the Integrated Natural Resources Management Plan from Sierra Ecosystem Associates, Planning Partners, and RECON Environmental, Inc.; and
- 2) Direct that the presentations be no longer than 30 minutes followed by public comment, Board deliberation and final decision.

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

29. [09-1195](#) Chief Administrative Office recommending the Board authorize the Chairman to sign the Administrative Service Agreement and other documents as necessary to implement the program between the County of El Dorado and International City Management Association Retirement Corporation (ICMA-RC), and adoption of Resolution approving the plan and identifying a Plan Coordinator, for the ICMA-RC's VantageCare Retirement Health Savings (RHS) Plan subject to minor revisions as approved by County Counsel; based on the current economic conditions and the expected budget shortfall for future fiscal years, the County is interested in offering an early retirement incentive plan to incentivize higher cost employees within a few years of retirement to leave in order to retain lower cost employees. (Est. Time: 20 Min)

**Resolution 214-2009**

*PUBLIC COMMENT*

*B. Johnston RE: Only received the agreement right now. Also commented on #25 RE: The County has a Deferred Comp Committee who was not involved.*

*G. Copeland RE: This will reduce the number of layoffs.*

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

- 1) Approve the Agreement subject to minor revisions; and**
- 2) Adopt Resolution 214-2009.**

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

30. [09-1153](#) Transportation Department recommending the Board approve the proposed ten year residential permit forecast. (Est. Time: 1 Hr)

*PUBLIC COMMENT*

*K. Russell RE: (12:26) Land Development Manual will be so much more than the Design Standards Manual.*

*A. Marinaccio RE: What are next steps? Too much discussion on errors in the General Plan. Analysis that has been done is very good. Need to look at Cameron Park Interchange.*

*M. McDougal RE: Current fees are too high. Look at fees which are lower but within regulations.*

*T. Schwank RE: Age restrictions. Elderly have more available funds than other groups.*

*S. Taylor RE: Developers paying for projects. Why does this happen in the County?*

*J. Butler RE: People like the smaller roads. County should look at projects before trees are torn down. Should move more towards sustainable jobs for El Dorado County.*

*J. Mathis RE: Thanks the Board for the DOT Director. Director is doing a good job with safety of roads. Good economic development along the Highway 50 corridor.*

**A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to approve the ten year plan.**

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

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

31. [09-0969](#) Hearing to consider the recommendation of the Planning Commission on General Plan Amendment A08-0014/Rezone Z08-0038 on property identified by APNs 327-213-06 and -08, consisting of 13.48 acres, in the Diamond Springs area, submitted by Robert James Campbell; and recommending the Board take the following actions:
- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
  - (2) Approve General Plan amendment application A08-0014 amending the land use designation from Medium Density Residential (MDR) to Commercial (C) for a 2.44 acre portion of APN 327-213-08 based on the findings listed in Attachment 1;
  - (3) Approve Z08-0038 rezoning APNs 327-213-06 (0.962 acres) and -08 (2.44 acre portion) from Single-Family One-Acre Residential District (R1A) to Commercial-Design Community (C-DC) based on the findings listed in Attachment 1;
  - (4) Adopt Ordinance **4828** for said rezone; and
  - (5) Adopt Resolution **215-2009** for said General Plan amendment. (Supervisory District III) (Est. Time: 10 Min)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve the following:**

- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff;**
- (2) Approve General Plan amendment application A08-0014 amending the land use designation from Medium Density Residential (MDR) to Commercial (C) for a 2.44 acre portion of APN 327-213-08 based on the findings listed in Attachment 1;**
- (3) Approve Z08-0038 rezoning APNs 327-213-06 (0.962 acres) and -08 (2.44 acre portion) from Single-Family One-Acre Residential District (R1A) to Commercial-Design Community (C-DC) based on the findings listed in Attachment 1;**
- (4) Adopt Ordinance 4828 for said rezone; and**
- (5) Adopt Resolution 215-2009 for said General Plan amendment.**

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

- 32. [09-1039](#) Development Services Department, Planning Services Division, recommending the Board approve the final agreement with Farrell Ventures, LLC prior to issuance of the Certificate of Occupancy. Supervisorial District 3 (Cont'd 8-25-09, Item 41) (Est. Time: 20 Min.)

**This matter was continued to October 13, 2009 upon approval of the consent calendar.**

- 33. [09-1115](#) Development Services Department recommending adoption of a Resolution establishing the Diamond Springs and El Dorado Community Advisory Committee and setting forth the duties and responsibilities of the Committee. (Cont'd 9/22/09, Item 33) (Est. Time: 20 Min)

**Resolution 235-2009**

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

- 1) Continue the adoption of the Resolution to October 20, 2009;
- 2) Reopen the process for accepting applications for committee members until October 15, 2009; and
- 3) Approve the appointments of committee members on October 20, 2009.

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

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNED AT 2:15 PM**

**CLOSED SESSION**

34. [09-1132](#) **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.

**No Action Reported.**

35. [09-1161](#) **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). One (1) potential case.

Title: Waste Connections - Claim.

**No Action Reported.**

36. [09-1183](#) **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Sierra Forest Legacy v. California Regional Water Quality Control Board, El Dorado County Superior Court Case #SC20090123.

**No Action Reported.**

**ADDENDUM**

**CLOSED SESSION**

37. [09-1212](#) **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)

**No Action Reported.**