



# El Dorado County

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## MINUTES

### 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, March 24, 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.co.el-dorado.ca.us](http://www.co.el-dorado.ca.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:** 4 - Supervisor Knight, Supervisor Sweeney, Supervisor Nutting and Supervisor Briggs

**Absent:** 1 - Supervisor Santiago

#### **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**

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.

Approval of the Consent Calendar

**A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to adopt the agenda and approve the Consent Calendar with the following exception: Item No. 16 was continued off calendar.**

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

#### **OPEN FORUM**

#### **BUDGET UPDATE**

#### **CONSENT CALENDAR**

1. [09-0401](#) Approval of Board of Supervisors Conformed Agendas (Minutes) for the Special Meeting of Monday, March 16, 2009 and the Regular Meeting of Tuesday, March 17, 2009.

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

2. [09-0297](#) Agriculture, Weights and Measures Department, on behalf of the Agricultural Commission, recommending the Board appoint one member to serve on the Agricultural Commission for the remainder of the term vacated on January 6, 2009, commencing April 8, 2009 until expiration January of 2011.

**FUNDING:** General Fund included in FY08/09 budget.

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

3. [09-0319](#) Auditor-Controller recommending Board adoption of Resolution establishing the transfer of \$9,651.91 in unclaimed property tax refunds in accordance with Revenue and Taxation Code §5102 and \$10,812.09 in stale-dated property tax refunds in accordance with Government Code §29802 to the County General Fund.

**Resolution 058-2009**

**FUNDING:** N/A.

**Resolution 058-2009 was adopted upon approval of the consent calendar.**

4. [09-0210](#) Chief Administrative Office recommending the Board:

1) Authorize the Chairman to sign the budget transfer revising the Fiscal Year 2008-2009 budget reducing revenue in Department 15, adjusting contingency and revising various department budgets to account for mid-year projections;  
2) Support Chief Administrative Officer recommendations setting parameters for department FY 2009-10 proposed budget submissions;  
and  
3) Take action on any related recommendations or discussion relative to managing the County budget in the current fiscal year or subsequent fiscal year. (Cont'd 3/17/09, Item 14)

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

5. [09-0309](#) Health Services Department recommending the Board authorize the Chairman to sign retroactive Agreement 819-PHD0209 with the State of California Department of Public Health, Center for Health Statistics in the amount of \$1.00 for each death certificate entered into the California Electronic Death Registration System (CA-EDRS) for the term July 1, 2008 through June 30, 2009, with a not-to-exceed amount of \$1,011 for this Agreement.

**FUNDING:** State of California, Department of Public Health

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

6. [09-0300](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment I to Agreement 211-F0911 (0809-90050-61-930) with First 5 El Dorado Children and Families Commission, to increase funding from \$234,078 to \$264,078 for Fiscal Year 2008-2009 for assistance with health insurance and health services for uninsured children between the ages of 0-5 years.

**FUNDING:** First 5 Children and Families Commission.

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

7. [09-0305](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment I to Agreement 07-NNA09 with the State of California, Department of Alcohol and Drug Programs (ADP) increasing funding by \$13,704 to \$1,619,755 for the Fiscal Year 2008-2009 State Net Negotiated Net Amount (NNA) budget.

**FUNDING:** State of California Alcohol/Drug Program.

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

8. [09-0284](#) Health Services Department recommending the Board authorize the Chairman to sign the Certification Statements approving the Children's Medical Services (CMS) Programs combined Child Health and Disability Prevention (CHDP); California Children's Services (CCS); and Foster Care Administrative Budget and Work Plan in the amount of \$940,217 for Fiscal Year 2008-2009.

**FUNDING:** Social Services Trust Fund; Annual State Children's Medical Services allocation; and Health Services Department Realignment Fund match.

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

9. [09-0315](#) Human Services Department recommending the Board authorize the Chairman to sign Amendment II to Memorandum of Understanding 905-M0810 with California Statewide Automated Welfare Systems Consortium IV (C-IV), which adds mechanisms for acquisition and transfer of equipment and further delineates areas of understanding regarding migrating county Maintenance and Operations claiming processes.

**FUNDING:** Funding sources are 85% Federal/State Social Services Allocation with a 15% County match.

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

10. [09-0296](#) Information Technologies recommending the Board authorize the Chairman to sign Amendment II to Agreement 675-S0611 with Sun Microsystems and the Revised Statement of Work to correct serial numbers and correctly reflect the intended three year contract period for all equipment covered under this agreement.
- This matter was Approved on the consent calendar**
11. [09-0211](#) Transportation Department recommending the Board authorize said Department to proceed with ordering and payment of a title report and certified appraisal to commence the acquisition process for the Angora Creek Fisheries / Stream Environment Zone (SEZ) Enhancement Project JN95161 affecting a portion of APN 033-524-01, Patrick B. Hennessy, Trustee.
- FUNDING:** Funding for the project will come from the CTC, TRPA, and Bureau of Reclamation.
- This matter was Approved on the consent calendar**
12. [09-0228](#) Transportation Department recommending the Board authorize said Department to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Christmas Valley 2 Erosion Control Project affecting portions of the following subject parcels: APN 035-132-10, Emily A. Bowman and Fenn V. Barkley III; APN 035-132-09, Aaron J. and Ember E. Buckman; APN 035-131-03, Virgilo S. Cayangyang; APN 035-131-04, Scott De Chambeau; APN 035-134-01, J. George and Elizabeth I. Dion, Trustees; APN 035-131-01, Stanley Loreda; APN 035-192-09, Duane M. and Darlene D. Hines, Trustees; APN 036-622-07, Michael D. and Dorothy L. Crowley; APN 036-612-13, Steven K. and Cheryl R. Dufay; APN 036-621-04, Clinton and Florence Givans and Florence J. Hill; APN 036-612-02, Gregory T. and Sandra J. Hughes; APN 035-234-01, Ben W. and Way Bing Louie; APN 036-422-12, Wells Fargo Bank; APN 036-421-05, Charles W. and Marla J. Gleave, Trustees.
- FUNDING:** Funding for the project will come from the Forest Service, California Tahoe Conservancy (CTC), and Tahoe Regional Planning Agency (TRPA).
- This matter was Approved on the consent calendar**

13. [09-0251](#) Transportation Department recommending adoption of Resolution accepting the Irrevocable Offer of Dedication from West Valley LLC, for road right of way, including the underlying fee, located on the property identified as APN 118-140-37 in El Dorado Hills, necessary in order to make the current road right of way on Latrobe Road more uniform in width.  
**Resolution 059-2009**  
**Resolution 059-2009 was adopted upon approval of the consent calendar.**
14. [09-0250](#) Transportation Department recommending adoption of Resolution accepting a portion of a previously rejected offer of dedication from Centex Homes, for road right of way, including the underlying fee, located on the property identified as APN 118-210-01 in El Dorado Hills, necessary in order to make the current road right of way on Latrobe Road more uniform in width.  
**Resolution 060-2009**  
  
**FUNDING: N/A**  
**Resolution 060-2009 was adopted upon approval of the consent calendar.**
15. [09-0372](#) Supervisor Nutting recommending Chris Alarcon and Kathye Russell be appointed to serve as members of the Integrated Natural Resources Management Plan Stakeholder Advisory Committee (INRMP SAC) as representatives for District II.  
**This matter was Approved on the consent calendar**

16. [09-0375](#) Supervisor Santiago requesting the Board approve a one-year extension of Building Permit Nos. 136580 and 159715 for Adele Lucas on property identified as APN 018-090-31-100 for a Home and Garage on Cascade Lake Road in South Lake Tahoe.

This matter was continued off calendar upon approval of the Consent Calendar.

#### END CONSENT CALENDAR

#### DEPARTMENT MATTERS/NOTICED HEARING

17. [09-0194](#) Hearing to consider adoption of Resolution superseding Resolution 287-2006 approving the Pioneer Fire Protection District Capital Improvement Plan and adopting Development Impact Fees. (Cont'd 3/3/09, Item 30)

#### Resolution 061-2009

**FUNDING:** Fire Impact Fees.

Hearing no protests, a motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt Resolution 061-2009.

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

18. [09-0004](#) Hearing to consider the Agricultural Commission's criteria including modifications to apply that criteria to be utilized for RR, NR, OS & AL Land Use Designations. (Cont'd 2/24/09, Item 44)

Hearing no protests, a motion was made by Supervisor Knight, seconded by Supervisor Santiago, to continue this matter to May 12, 2009.

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

19. [09-0152](#) Clerk of the Board of Supervisors requesting the Board consider recommendations regarding the Board of Supervisors budgets for Fiscal Year 08/09 and Fiscal Year 09/10, as follows:
- 1) Receive a presentation on the Department Budget with separate allocations for each Supervisorial District;
  - 2) Approve the FY08/09 adjusted District allocations; and
  - 3) Approve the parameters for the departmental Fiscal Year 09/10 "Unity" Budget which will include individual District allocations.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to approve an operating cost of \$201,000 for each Supervisorial District for FY 09/10.

Yes: 4 - Knight, Sweeney, Nutting and Briggs

Noes: 1 - Santiago

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to direct the Clerk of the Board, Chief Administrative Officer and Auditor Controller to review policies, processes and procedures including but not limited to credit card usage, travel, and per diem with the objective to separate the regulations regarding Board of Supervisors and return to the Board on May 19, 2009.

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

A motion was made by Supervisor Nutting, seconded by Supervisor Briggs, to continue the Tahoe differential to March 31, 2009.

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

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to approve the FY 08/09 Supervisorial District allocations.

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

Directed staff to review and provide information regarding the operational costs of the Board of Equalization. No formal action taken.

20. [09-0382](#)

Supervisor Santiago to provide a presentation on the El Dorado County 2009 Economic Stimulus Summit.

Discussed Economic Stimulus Event scheduled for Wednesday, May 6, 2009 from 9:00 am to noon at the Cameron Park Community Center. Staff will prepare documents to invite State elected officials to participate in the event. No formal action was taken.

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

21. [09-0262](#)

Hearing to consider Planning Commission's recommendation that the Board take the following actions on General Plan Amendment A08-0013/Hazard Mitigation Plan initiated by the El Dorado County Sheriff:

- 1) Approve the addendum to the 2004 General Plan Environmental Impact Report (EIR); and
- 2) Adopt the Resolution amending Objective 6.1.1 and Policy 6.1.1.1 of the Public Health, Safety, and Noise Element, based on the findings listed in Attachment 2.

**Resolution 062-2009**

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

- 1) Approve the addendum; and
- 2) Adopt Resolution 062-2009.

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney



22. [09-0234](#) Hearing to consider adoption of Ordinance **4812** amending Section 17.38.062, Chapter 17.38 of Title 17 fo the El Dorado County Ordinance Code entitled Avigation and Noise Easement Required and recommending the following:
- (1) Certify the project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA guidelines; and
  - (2) Adopt Ordinance 4812 amending Ordinance Section 17.38.062 as proposed. (Cont'd 3/10/09, Item 23)

**This matter was continued to March 31, 2009.**

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

The meeting of March 24, 2009 was adjourned in memory of retired El Dorado County Sheriff Ernie Carlson.

**CLOSED SESSION**

23. 09-0380 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Agriculture Commissioner, Sealer of Weights and Measures.  
**No Action Reported**
24. 09-0313 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Air Quality Management District Officer.  
**No Action Reported**
25. 09-0394 Pursuant to Government Code Section 54956.9(a), **Conference with Legal Counsel:**  
Existing Litigation. Title: Claim of Cliff Rosalez v. County of El Dorado, Worker's Compensation Claim Settlement, WCAB 2003015911.  
**No Action Reported**
26. 09-0395 Pursuant to Government Code Section 54956.9(a), **Conference with Legal Counsel:**  
Existing Litigation. Title: Claim of Steven Davis v. County of El Dorado, Worker's Compensation Claim Settlement, WCAB 2008075543.  
**No Action Reported**
27. 09-0398 Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**  
Significant exposure to litigation. One (1) potential case. Title: Discussion of Rare Plant Issues.  
**No Action Reported**
28. 09-0399 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APNs 070-261-77, 070-261-79, 070-261-80 and 070-261-81. The person or persons with whom the negotiator may negotiate is Temecula Valley Bank. Instructions to negotiator will concern price and term of payment. Louis B. Green, County Counsel, Peter Maurer, Principal Planner, and Pete Feild, Right-of-Way Program Manager, will be the negotiators on behalf of El Dorado County.  
**No Action Reported**

29. 09-0396 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 325-300-32. The person or persons with whom the negotiator may negotiate is State of California, Administrative Office of the Courts, Office of Court Construction and Management. Instructions to negotiator will concern terms and conditions of property transfer. County Counsel will be the negotiator on behalf of El Dorado County.

**No Action Reported**

30. 09-0385 Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Bruce Heid, IEDA; Judith Kerr, Interim Director of Human Resources and/or designee.  
Employee/Labor Organization: United Domestic workers of America (UDW)/AFSCME.

**No Action Reported**

31. 09-0269 Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Interim Director of Human Resources and/or designee.  
Employee Organization: El Dorado County Employee 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; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; Deputy Sheriff Association; El Dorado County Law Enforcement Managers Association.

**No Action Reported**

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**

**Monday, March 30, 2009, 9:00 a.m. – Aid to Fire Contracts**

**Monday, April 6, 2009, 9:00 a.m. – Strategic Direction/Prioritization of core functions and projects/activities plus Planning for FY 09/10 Budget Hearing Process**

**Monday, May 4, 2009, 9:00 a.m. - General Plan/Economic Development.**

**Monday, May 6, 2009, 9:00 a.m. to Noon – Economic Stimulus Event - Connecting contractors to stimulus programs and government construction contracts.**

**Monday, May 18, 2009, 9:00 a.m. - General Plan/5 Year Review and Update/Health Services Department Update**

**Monday, June 22, 2009, 9:00 a.m. - General Plan/Other Topics.**