



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

Tuesday, June 30, 2009

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 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 Sweeney, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4, 5, 16, 17, and 34 were pulled from the consent calendar, Items 38, 39, 40, 41, 43, 50, 52, 54, 55, 56, 59, 72, 73, 74, and 76 were amended to the Consent Calendar, and Item 42 was continued off calendar.

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

PRESENTATIONS

1. [09-0748](#) **PRESENTATION** of Proclamations honoring Luella Bousquet and Robert "Bob" Hancock, dedicated individuals who have provided volunteer services at the Senior Day Care Center for many years.
No formal action required.
2. [09-0857](#) **PRESENTATION** of 2009 Sacramento Region May is Bike Month awards to Bob Smart, Bicycling Advocate of the Year and Corey Harkins, Student Cyclist of the Year.
No formal action required.

OPEN FORUM**PUBLIC COMMENT:**

C. Wolfe RE: Recall of District 3 Supervisor

T. Nichage RE: Save our County. Positive Changes in County. Sustainable County.

S. Taylor RE: Recall of District 3 Supervisor. Do not urbanize our County.

A. Marinaccio RE: misinformation of fact. District 3 Supervisor spear headed the Bike Path. Workshop regarding revision of land management is tomorrow.

Dr. Boyland RE:

E. Claudio RE: CPS issues. Secret Court.

T. Strew RE: CPS issues. Foster homes should follow rules as do parents.

Programs to keep children in the home.

K. Greenwood: Letter to Editor Hal LaMar. Issues with CCWs being too hard to get.

J. Amo RE: Garbage facility near her home.

BUDGET UPDATE**CONSENT CALENDAR**

3. [09-0872](#) Approval of Board of Supervisors Minutes from the Special Meetings of June 8, 2009, June 11, 2009, June 15, 2009, June 17, 2009, June 18, 2009 and June 22, 2009, the Continued Meeting of June 17, 2009, and the Regular Meeting of June 23, 2009.

This matter was Approved on the consent calendar

4. [09-0875](#) Agriculture, Weights and Measures Department recommending the Board receive and file the El Dorado-Alpine Counties 2008 Agricultural Crop and Livestock Report.

PUBLIC COMMENT:

A. Marinaccio RE: *Economic Stability. Local Economy. Keep Track of the Process.*

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to receive and file this matter.

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

5. [09-0854](#) Agriculture, Weights and Measures Department recommending the Board consider the following: 1) find in accordance with County Charter Article II, Section 210 (b) (6), that it is appropriate to obtain an outside contractor for the Weed Abatement Program for said Department because the ongoing aggregate of the work is not sufficient to warrant addition of permanent staff and that the timely treatment of all various weed populations within the County requires a very short time frame to be efficacious; and, 2) authorize the Chairman to sign Agreement 039-S1011 with Thomas Amesbury, an individual, dba Forester's Co-Op in an amount not to exceed \$90,000 for a term through June 30, 2011 for specialty weed abatement, control and eradication work.

FUNDING: California Department of Food and Agriculture.

NO PUBLIC COMMENT

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to approve this matter.

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

6. [09-0878](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to award Bid 09-288-125 for the purchase of 3/8" X No. 6 crushed aggregate chips to the low qualified bidder, Granite Construction Company of Sacramento, CA., upon conclusion of the ten (10)-day bid protest period; authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$192,000 for a twelve (12) month period following Board approval; and authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the requesting Department's budget.

FUNDING: General Fund contribution to the Road Fund.

This matter was Approved on the consent calendar

7. [09-0807](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to award Bid 09-288-124 for the purchase of Polymer Modified Rejuvenating Emulsion to the low qualified bidder, Telfer Oil Company of Martinez, CA upon conclusion of the 10-day bid protest period; authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$600,000 for a twelve (12) month period following Board approval; and, authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the requesting Department's budget.

FUNDING: General Fund contribution to the Road Fund.

This matter was Approved on the consent calendar

8. [09-0806](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Chairman be authorized to sign Amendment IV to Agreement for Services 623-S0810 with Ameripride Services of Sacramento, California increasing the contract amount by \$50,000 to an amount not to exceed \$100,000 for the purpose of providing laundry and linen services on an "as-requested" basis County wide; and make findings that it is more economical and feasible to obtain an outside contractor to provide said services in accordance with County Ordinance Chapter 3.13., Section 3.13.030.

FUNDING: Funds are available within each individual requesting Department's Service and Supplies budget (General and Non-General Fund)

This matter was Approved on the consent calendar

9. [09-0803](#) Chief Administrative Office recommending Chairman be authorized to sign the annual Agreements with the El Dorado County Resource Conservation District and Georgetown Divide Resource Conservation District in the amount of \$80,393 each for a term to expire June 30, 2010 to identify responsibilities and establish areas of cooperative effort for all parties regarding erosion and sediment control and watershed management.

FUNDING: General Fund.

This matter was Approved on the consent calendar

10. [09-0859](#) Child Support Services Department recommending Chairman be authorized to sign Budget Transfer increasing the Revenue Recovery Division's revenues and appropriations by \$43,130 to be consistent with year-end projections for Fiscal Year 2008-2009. (4/5 vote required)

FUNDING: Revenue collections from various department and agency sources.

Approved the budget transfer on the consent calendar.

11. [09-0864](#) Development Services Department recommending the Board approve a Budget Transfer moving appropriations from the Ecological Preserve trust to Planning Services Division. (4/5 vote required)

FUNDING: Ecological Preserve fees.

Approved the budget transfer on the consent calendar.

12. [09-0785](#) District Attorney recommending the Board approve the expenditure of the State Fiscal Year 2007/2008 Supplemental Law Enforcement Services Fund (SLESF) allocation, including estimated interest.

FUNDING: State Supplemental Law Enforcement Services Fund.

This matter was Approved on the consent calendar

13. [09-0765](#) Environmental Management Department recommending Chairman be authorized to sign Agreement 09-016-250 with the State Water Resources Control Board in the amount of \$93,202 for the term July 1, 2009 through June 30, 2010 to allow said Department to provide services for the Local Oversight Program related to underground storage tank contamination monitoring, remediation activities and site closure.

FUNDING: California State Water Resources Control Board.

This matter was Approved on the consent calendar

14. [09-0821](#) Health Services Director requesting authorization to sign a letter of support for El Dorado County Office of Education for an expansion grant application with Early Head Start through the Administration of Children, Youth and Families, to allow expansion of services to low income pregnant women, or infants and toddlers, as well as their families.

This matter was Approved on the consent calendar

15. [09-0787](#) Health Services Department recommending the Board approve a renewal of the California State Association of Counties (CSAC) Excess Insurance Authority (EIA) catastrophic inmate medical insurance program in the amount of \$129,991 for Fiscal Year 2009-2010.

FUNDING: County General Fund.

This matter was Approved on the consent calendar

16. [09-0745](#) Health Services Department, in collaboration with the El Dorado County Superior Court, recommending Chairman be authorized to sign the following Agreements:
- 1) Comprehensive Drug Court Implementation (CDCI) Dependency Drug Court (DDC) Notice of Grant Award Agreement DDC-09-10-09 in the amount of \$92,659 for the term July 1, 2009 through June 30, 2010 to provide funding for Dependency Drug Court services; and,
 - 2) Comprehensive Drug Court Implementation (CDCI) Notice of Grant Award Agreement CDCI 09-10-09 in the amount of \$93,334 for the term January 1, 2010 through December 31, 2010 to provide funding for the Comprehensive Drug Court Implementation program.

FUNDING: State Department of Alcohol & Drug Programs

NO PUBLIC COMMENT

A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to approve this matter.

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

17. [09-0834](#) Health Services Department recommending Chairman be authorized to sign Amendment I to Agreement 566-S0910 (811-PHD1208) with Sandra Dunn, d.b.a. Sandra Dunn and Associates, increasing the compensation amount by \$112,863, extending the term through January 31, 2010, and amending the scope of services to continue to provide project management services in the ACCEL Initiative and the Children's Health Initiative for said Department.

FUNDING: Agency for Healthcare Research and Quality grant; Blue Shield of California Foundation grant, and California HealthCare Foundation grant.

NO PUBLIC COMMENT

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

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

18. [09-0828](#) Health Services Department recommending Chairman be authorized to sign Agreement 09-11270 with California Department of Public Health, in the amount of \$156,056 for the term July 1, 2009 through June 30, 2010 for the purpose of providing State and Federal funding for Public Health Immunization programs for children and the general public.

FUNDING: California Department of Public Health.

This matter was Approved on the consent calendar

19. [09-0637](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign Agreement 679-S0911 with Sierra Child and Family Services in an amount not to exceed \$650,000 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: Medi-Cal/EPSDT, SB163, AB 3632, and Realignment.

This matter was Approved on the consent calendar

20. [09-0668](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign Agreement 680-S0911 with Summitview Child Treatment Center, Inc. in an amount not to exceed \$550,000 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: Medi-Cal/EPSDT, SB163, AB 3632, and Realignment.

This matter was Approved on the consent calendar

21. [09-0797](#) Human Services Department advising the Board of current perpetual agreements for services and memoranda of understanding as listed on Attachment 09-0797.A.1-8.; and recommending the Board authorize continuation of same.

FUNDING: Primarily State and Federal funds with County share of cost met with Realignment funds.

This matter was Approved on the consent calendar

22. [09-0685](#) Human Services Department recommending the Chairman be authorized to sign Agreement for Services 778-S0910 with Progress House, Inc. in an amount not to exceed \$170,000 for the term July 1, 2009 through June 30, 2012 for the provision of substance abuse testing and treatment services on an "as requested" basis for eligible CalWORKs clients.

FUNDING: 82% Federal/10% State Social Services allocation/8% County match.

This matter was Approved on the consent calendar

23. [09-0832](#) Human Services Department recommending the Chairman be authorized to sign Contract No. R9070535-02 with Golden Sierra Job Training Agency in the amount of \$41,925, for the term December 1, 2008 through December 31, 2009 to provide augmented Workforce Investment Act Dislocated Worker job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and the Director of Human Services, or successor, be authorized to execute subsequent documents relating to said contract, including any amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term and required fiscal and programmatic reports.

FUNDING: Federal Workforce Investment Act - Governor authorized Dislocated Worker Economic Stimulus Funds.

This matter was Approved on the consent calendar

24. [09-0580](#) Transportation Department recommending adoption of Resolutions accepting the Irrevocable Offers of Dedication (08-003) from East Ridge Investors, a California Limited Liability Company, for road right of way and public utilities easements, Phase 1 and Phase 2, situated along the westerly boundary of Tract 1, RS#29/87 on property identified as APN 118-130-33 in the El Dorado Hills area.

Resolution 148-2009 and Resolution 164-2009

Adopted Resolution 148-2009 and Resolution 164-2009 on the consent calendar.

25. [09-0581](#) Transportation Department recommending adoption of Resolutions accepting the Irrevocable Offers of Dedication (08-0003) from East Ridge Investors, a California Limited Liability Company, for storm drain easements, Phase I and Phase II, situated across the westerly portion of Tract 1, RS#29/87 on property identified as APN 118-130-33 in the El Dorado Hills area.

Resolution 149-2009 and Resolution 165-2009

Adopted Resolution 149-2009 and Resolution 165-2009 on the consent calendar.

26. [09-0442](#) Transportation Department recommending adoption of Resolution issuing a parade permit for portions of the Rubicon Trail from the Wentworth Springs Campground and the Loon Lake Dam eastward to the Placer County line, for the 57th Annual Jeepers Jamboree from 6:00 a.m. to midnight on Thursday, July 23, 2009 and Friday, July 24, 2009, and for the 31st Annual Jeep Jamboree from 6:00 a.m. to midnight on Friday, July 31, 2009, subject to the conditions in Resolution 110-79 and in the Application for Road Closure submitted by the applicant.

Resolution 150-2009

FUNDING: None.

Adopted Resolution 150-2009 on the consent calendar

27. [09-0625](#) Transportation Department recommending the following pertaining to the Local Agency Disadvantaged Business Enterprise Annual Submittal Form (AGMT 09-52705):
- 1) Adopt Resolution approving the Local Agency Disadvantaged Business Enterprise Annual Submittal Form for Federal Fiscal Year 2009/2010; and,
 - 2) Authorize the Chairman to sign the Local Agency Disadvantaged Business Enterprise Annual Submittal Form with the State of California Department of Transportation for Federal Fiscal Year 2009/2010.

Resolution 151-2009

Adopted Resolution 151-2009 on the consent calendar

28. [09-0698](#) Transportation Department recommending Chairman be authorized to terminate the current Fixed Base Operator Agreement 557-L0611 with Lester T. Braithwaite, dba Mobil Aircraft Technicians and sign the Fourth Addendum to Lease Agreement with Scott Herring, dba AirFilm Camera Systems for rental of County Hangar CH-01 at the Georgetown Airport. (4/5 vote required per County Ordinance 3.08.021)

FUNDING: Georgetown Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar

29. [09-0112](#) Transportation Department recommending Chairman be authorized to sign Agreement for Services AGMT 08-52558 with Holdrege & Kull, Consulting Engineers and Geologists and Agreement for Services AGMT 08-52559 with Kleinfelder West, Inc., each in an amount not to exceed \$200,000 for a three-year term or upon the completion of all issued task orders, whichever is later, to provide professional geotechnical and geological engineering support services, including materials testing and environmental geotechnics, during the 2009, 2010 and 2011 construction seasons.

FUNDING: Traffic Impact Mitigation Fee Program, Regional Surface Transportation Program, Highway Bridge Program, Federal Aid Funds and Reimbursable Developer Fees.

This matter was Approved on the consent calendar

30. [09-0777](#) Transportation Department recommending Chairman be authorized to sign the First Amendment to Agreement for Services AGMT 08-1672 with American Reprographics Company, LLC, dba Brownie's Digital Imaging, amending said contract to expand the printing and reprographic scope of work to provide electronic file reproduction and use of Contractor's PlanWell Enterprise™ On-line System, extending the term two additional years through June 30, 2011, and adding a new fee schedule to continue to provide reproduction, printing and binding services for said Department.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program and Federal and State grant funds.

This matter was Approved on the consent calendar

31. [09-0572](#) Transportation Department recommending the Chairman be authorized to sign Amendment 2 to Subdivision Improvement Agreement AGMT 05-999 with Toll Land XXIII Limited Partnership extending the time to complete subdivision improvements for The Promontory Village 5 - Unit 2 to be on or before April 25, 2010.

FUNDING: Developer funded, Toll Land XXIII Limited Partnership.

This matter was Approved on the consent calendar

32. [09-0754](#) Transportation Department recommending Chairman be authorized to sign Notice of Completion with Cindy Bales Engineering Inc. for the Automated Weather Observation System (AWOS) Project (93121A) AIP 3-06-0188-12 at the Placerville Airport.

FUNDING: This Project was funded with a combination of State and Federal Grants and a 2.6% contribution from the Placerville Airport Enterprise Fund. No fiscal impact.

This matter was Approved on the consent calendar

33. [09-0566](#) Transportation Department recommending the Board take the following actions pertaining to the Pleasant Valley Road (State Route 49) / Patterson Drive Intersection Signalization Project:
- 1) Adopt the California Environmental Quality Act (CEQA) Negative Declaration;
 - 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study/Mitigated Negative Declaration Document);
 - 3) Approve said project as described in the CEQA document; and
 - 4) Authorize staff to proceed with any right-of-way acquisitions necessary to construct the project (APN's 331-310-08 and 09; 329-280-12, 13, 15, 16, and 17).

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees and State Highway Operation and Protection Plan funds.

This matter was Approved on the consent calendar

34. [09-0789](#) Sheriff's Office requesting relief of accountability for the following:
- 1) a cash shortage of \$230 in the South Lake Tahoe Jail Inmate Trust Fund due to two (2) counterfeit \$100 dollar bills being accepted by staff;
 - 2) a cash shortage of \$30 in balancing the cash transactions during the graveyard shift on May 14, 2009; and
 - 3) a cash shortage of \$20 in the Placerville Jail Inmate Trust Account due to a counterfeit \$20 bill accepted by staff.

FUNDING: General Fund.

PUBLIC COMMENT:

B. Johnston RE: Difficulty of tracking the counterfeit bills and proving the person had knowledge the bill was counterfeit.

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to approve this matter.

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

35. [09-0778](#) University of California Cooperative Extension (UCCE) recommending Chairman be authorized to sign Amendment 1 to Agreement ELDO200801 with the Regents of the University of California in the amount of \$38,026 for the term July 1, 2009 through June 30, 2010 to continue shared funding of the 4-H Youth Development Program Coordinator position.

FUNDING: Fiscal Year 2009-2010 Budget (General Fund).

This matter was Approved on the consent calendar

36. [09-0874](#) Supervisor Sweeney recommending adoption of Resolution authorizing Pyro Spectaculars, Inc. to conduct a pyrotechnic display for the annual "4th of July Celebration" on Saturday, July 4, 2009 at the Placerville Speedway located at the El Dorado County Fairgrounds; and recommending the Chairman be authorized to sign a letter to the Fire Marshall approving same.

Resolution 152-2009

Adopted Resolution 152-2009 on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

37. [09-0829](#) HEARING - Consider adoption of a Resolution authorizing submittal of a Fiscal Year 2009-2010 Community Development Block Grant General Allocation Application to the California Department of Housing and Community Development for up to a \$600,000 grant to continue to provide Housing Rehabilitation and Homeownership Assistance Loan Programs; committing \$6,000 in budgeted general funds for in-kind staff support, \$1,500 in permit fee waivers and \$3,000 of in-kind Weatherization program services to meet the leverage/match requirement during the three-year grant term; authorize the Chairman to sign the Statement of Assurances; and if awarded, authorize the Director of Human Services to execute the grant agreement and subsequent amendments thereto that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management.

Resolution 153-2009**FUNDING:** Federal CDBG Grant Funds.*NO PUBLIC COMMENT*

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

- 1) **Adopt Resolution 153-2009;**
- 2) **Authorize the Chairman to sign the Statement of Assurances; and**
- 3) **Authorize the Director of Human Services to execute the grant agreement and subsequent amendments.**

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

38. [09-0865](#) Human Services Department requesting conceptual approval to submit a Home Investment Partnerships Program Grant application to the California Department of Housing and Community Development in an amount to be determined, noting eligible activities include affordable housing projects (grant amounts of up to \$4,000,000) and affordable housing programs (grant amounts of up to \$800,000).

FUNDING: Federal HOME Grant Funds.

Conceptually approved the submittal of a Home Investment Partnerships Program Grant application upon approval of the consent calendar.

39. [09-0879](#) Human Services Department requesting conceptual approval to submit a minimum of two Planning and Technical Assistance Grant applications to the California Department of Housing and Community Development (HCD) for grants of up to \$70,000 each.

FUNDING: Federal CDBG Grant Funds.

Conceptually approved the submittal of Planning and Technical Assistance Grant applications upon approval of the consent calendar.

40. [09-0866](#) Human Services Department requesting conceptual approval to submit an Economic Development Block Grant Enterprise Fund Program application to the California Department of Housing and Community Development for up to \$300,000 to continue to provide the Microenterprise Assistance and Business Assistance Programs to enable eligible businesses in the unincorporated area of El Dorado County to receive technical assistance, start up, expansion and/or relocation assistance.

FUNDING: Federal EDBG Grant Funds

Conceptually approved the submittal of an Economic Development Block Grant Enterprise Fund Program application upon approval of the consent calendar.

41. [09-0867](#) Human Services Department requesting conceptual approval to submit one or more Economic Development Block Grant Over-The-Counter Component application(s) to the California Department of Housing and Community Development for up to \$2,500,000 for one-year grant(s) or up to \$5,000,000 for two-year grant(s) to make loans to employer(s) for an eligible activity resulting in the creation or retention of permanent jobs or to developer(s) to construct infrastructure improvements necessary to accommodate the creation, expansion or retention of a business that will create or retain jobs.

FUNDING: Federal EDBG Grant Funds

Conceptually approved the submittal of grant applications upon approval of the consent calendar.

42. [09-0871](#) Human Services Department requesting conceptual approval to submit an American Recovery and Reinvestment Act - Homelessness Prevention and Rapid Re-Housing Program Grant application to the California Department of Housing and Community Development in an amount to be determined, noting eligible programs include homelessness prevention, homeless diversion and rapid re-housing, minimum grant amounts are \$300,000, and may not exceed \$600,000.

FUNDING: Federal ARRA-HPRP Grant Funds

This matter was continued off calendar upon approval of the consent calendar.

43. [09-0882](#) Chief Administrative Office, Office of Economic Development (OED), recommending the Board approve a grant application to be submitted to Golden Sierra Workforce Investment Board (GSWIB) for the purpose of pursuing supplemental programmatic funding for increased "Rapid Response" activities that leverage our existing business retention and expansion infrastructure.

This matter was Approved on the consent calendar

44. [08-1852](#) Chief Administrative Office recommending Budget Transfer transferring \$192,425 out of General Fund Department 15 to the District Attorney and Sheriff for Charter Measure 504 salary increases.

FUNDING: General Fund Department 15.

NO PUBLIC COMMENT

A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to approve Budget Transfer 29167.

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

45. [09-0869](#) Probation Department recommending adoption of Resolution directing Mandatory Temporary Layoff in the Probation Department for Fiscal Year 2009/2010.

Resolution 154-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Resolution 154-2009.

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

46. [09-0861](#) Information Technologies Director recommending adoption of Resolution directing a Mandatory Temporary Layoff in the Information Technologies Department for Fiscal Year 2009-2010.

Resolution 155-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to adopt Resolution 155-2009.

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

47. [09-0883](#) Chief Administrative Office recommending adoption of Resolution implementing the voluntary time off (VTO) program for Fiscal Year 2009-2010.
Resolution 156-2009
NO PUBLIC COMMENT
A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to adopt Resolution 156-2009.
Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago
48. [09-0858](#) Chief Administrative Office recommending the Board approve and authorize the Chairman to sign a Budget Transfer transferring funds from Contingency to cover revenue shortfalls within the Development Services Department for Fiscal Year 2008-2009; and adopt a revised Personnel Resolution deleting two (2) Assistant/Associate Planner positions, and one (1) Building Inspector I/II position.
Resolution 157-2009
FUNDING: General Fund.
PUBLIC COMMENT:
J. Copeland RE: Department is cut to the bone. Restrictions on hiring to fill positions vacated by a layoff.
T. Davis RE: Use furloughs to reduce costs before reducing staff. He was laid off last November from Development Services and now his wife will be laid off.
A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, as follows:
1) Approve the budget transfer; and
2) Adopt Resolution 157-2009.
Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago
49. [09-0880](#) Chief Administrative Office recommending adoption of Resolution amending the County's Authorized Personnel Allocation Resolution based on changes presented in the Proposed Fiscal Year 2009-2010 budget.
Resolution 158-2009
NO PUBLIC COMMENT
A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Resolution 158-2009.
Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago
50. [09-0876](#) Supervisor Briggs recommending the Board approve a Temporary Use Permit for the purpose of conducting a fire works display at Finnon Lake on Saturday, July 4, 2009, per Section 8.08.050 of the County Ordinance Code.
This matter was Approved on the consent calendar

51. [09-0886](#) Supervisor Nutting requesting the Board consider a waiver of fees associated with the rezone of the Pollock Pines school site from public facility to a commercial facility.

PUBLIC COMMENT:

A. Marinaccio RE: Not an anomaly. Make processes cost less.

T. Van Horn RE: Purchased when it was a school zone.

A motion was made by Supervisor Nutting, seconded by Supervisor Briggs, to approve the request for waiver of fees for a total amount of \$4,860 due to the fact that land was designated public making it unique. Any future costs will be paid by the applicant.

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

52. [09-0853](#) Supervisor Santiago encourages and requests the Board to attend the California State Association of Counties Local Government Summit on Governance and Fiscal Reform on Friday, July 17, 2009 and Saturday, July 18, 2009 at the Hyatt Regency Hotel located in Sacramento, Ca. for the purpose of bringing local government together to discuss the current state of affairs in California.

This matter was Approved on the consent calendar

53. [09-0822](#) HEARING - Per the request of Tahoe Truckee Sierra Disposal, Inc. and as outlined in the April 4, 1995 Franchise Agreement, conduct a public hearing to consider adoption of Resolution setting the solid waste collection rates from \$15.95 to \$22.38 (1-32g can) for Tahoe Truckee Sierra Disposal Inc. effective July 1, 2009.

Resolution 159-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Nutting, to adopt Resolution 159-2009.

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

54. [09-0849](#) At the request of American River Disposal Service Co., receive and file their intent to exercise the renewal option to extend the current franchise agreement to December 31, 2014, per the provision in the Franchise Agreement between El Dorado County and American River Disposal Service Co. Inc. dated August 22, 2000.

This matter was Approved on the consent calendar

55. [09-0847](#) At the request of South Tahoe Refuse Co., Inc, receive and file their intent to exercise the renewal option to extend the current franchise agreement to December 31, 2014, per the provision in the Franchise Agreement between El Dorado County and South Tahoe Refuse Company, Inc. dated January 24, 1995.

This matter was Approved on the consent calendar

56. [09-0848](#) At the request of Sierra Disposal Service Co., receive and file their intent to exercise the renewal option to extend the current franchise agreement to December 31, 2014, per the provision in the Franchise Agreement between El Dorado County and Sierra Disposal Service Co. Inc. dated August 22, 2000.

This matter was Approved on the consent calendar

57. [09-0850](#) Environmental Management Department requesting the Board provide direction in regard to the competitive bid process for collection and disposal of municipal solid waste generated by residential, commercial and industrial customers within Franchise Area No. 4, the unincorporated portion of West Lake Tahoe Basin (Meeks Bay, Tahoma) or enter into franchise extension negotiations with Tahoe Truckee Sierra Disposal Company.

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Nutting, to direct staff to enter into negotiations with Tahoe Truckee Sierra Disposal, Inc. for a five year extension to the current Franchise Agreement.

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

58. [09-0506](#) Supervisor Santiago requesting the Board approve and authorize the Chairman to sign a Memorandum of Understanding with the City of South Lake Tahoe for cooperative construction of improvements for Lakeview Commons Project. (Cont'd 6/2/09, Item 39)

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Nutting, to continue this matter to July 21, 2009.

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

59. [08-1866](#) Development Services Department recommending Chairman be authorized to sign a Memorandum of Agreement with the Tahoe Regional Planning Agency (TRPA) to provide financial and staff support for the preparation of documents leading to the update of the TRPA Regional Plan and the County of El Dorado General Plan, in conjunction with the Pathway 2007 Planning Process. (Cont'd off-calendar on 2/24/09, Item 42)

FUNDING: General Fund.

This matter was Approved on the consent calendar

60. [09-0844](#) Development Services Department submitting a five-year review of the 2004 General Plan, providing a review of the assumptions of the plan, population, and job growth trends, and providing an opportunity to discuss desired amendments and program directives; and further, to confirm the 12-month action plans set forth in prior General Plan Implementation workshops on biological resources, agriculture, and Economic Development. (Cont'd 6/22/09, Spec. Mtg.)

PUBLIC COMMENT:

A. Marinaccio RE: Shingle Springs. Receive and file report as Report #1. But do not meet guidelines for the 5 year review of General Plan. Look at glitches and see what needs to be done to change them.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to receive and file this item as amended as the 12 month action plan to work towards the 5 year update which is due in 2011.

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

2:00 P.M. - TIME ALLOCATION

61. [09-0664](#) Continuation of hearing from June 2, 2009, Item 41 to consider a request submitted by Marion E. Long appealing the conditions of approval imposed by the Planning Commission for Special Use Permit S07-0020/Pacific House Auto Repair on property, identified by APN 009-140-19, consisting of 4.19 acres, in the Pacific House area; and Planning Services recommending the Board take the following actions:
- 1) Certify that the project is Categorical Exempt from CEQA pursuant to Section 15301(d) of the CEQA Guidelines;
 - 2) Grant the appeal in part and uphold the conditional approval of the Special Use Permit application S07-0020 by the Planning Commission on April 23, 2009, based on the findings and subject to the revised conditions of approval listed in Attachment 1; and
 - 3) Grant the requested appeal fee waiver submitted by the applicant at time of appeal filing in part by having the applicant submit \$200 to Planning Services. (Supervisory District II) (Cont'd 6/2/09, Item 41)

NO PUBLIC COMMENT

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

- 1) Certify that the project is Categorical Exempt from CEQA;
- 2) Grant the appeal and uphold the conditional approval of the Special Use Permit application S07-0020 with the following changes to the Conditions of Approval:
 - a) Condition No.12, remove the following from the last sentence "and existing vacant café/bar"; and
 - b) Condition No. 8 line 4 replace the word "submittal" with the word "issuance" and line 5 delete the word "application"; and
- 3) Grant the requested appeal fee waiver submitted by the applicant at time of appeal filing in part by having the applicant submit \$200 to Planning Services.

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

62. [09-0534](#) Development Services Department, Planning Services Division, recommending final adoption of General Plan Amendment A08-0016/Rezone Z08-0040/El Dorado Mirage Plaza on property identified by APN 327-150-03, consisting of 10 acres, in the Placerville area, submitted by El Mirage Group, **noting this item was previously heard and conceptually approved by the Board on June 9, 2009**. (District 3) (Refer 6/9/09, Item 32)

PUBLIC COMMENT:

S. Taylor RE: Not a good project

K. Yates RE: Neighbor, No way out of her property except through this property. Wild life in the area. Impact on creek.

T. Schwank RE: General Plan should not be changed.

Dr. Boyland RE: Diamond Springs Negative Declaration

A. Cantwell RE: Concerns about the lack of standing behind the General Plan. CEQA

S. Schwank: Need for smart planning

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

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;**
- 2) Approve Z08-0040 rezoning APN 327-150-03 from Single-Family Three-Acre Residential District (R3A) to Commercial-Planned Development (C-PD) based on the findings listed in Attachment 1;**
- 3) Approve General Plan Amendment A08-0016 based on the findings listed in Attachment 1; and**
- 4) Adopt Ordinance 4823 for said rezone.**

Yes: 4 - Knight, Sweeney, Nutting and Briggs

Noes: 1 - Santiago

63. [09-0156](#) Development Services Department, Planning Services Division, recommending adoption of General Plan Amendment A08-0001/Ordinance OR08-0001/Mixed Use Development; and recommending the following:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
 - 2) Approve A08-0001 amending General Plan Policies 2.1.1.3; 2.1.2.5; 2.2.1.2; and 2.2.1.3 Table 2-2 Land Use Densities and Residential Population Ranges; as shown in Attachment 2, based on the findings contained in Attachment 1;
 - 3) Approve OR08-0001 amending Zoning Ordinance Chapter 17.32 to include Mixed-Use Development as a permitted use in Commercial Districts (C), Professional Office Commercial Districts (CPO), and Planned Commercial Districts (CP) with a maximum residential density of 24 dwelling units per acre within Community Regions and a maximum residential density of 4 units per acre in Rural Centers as shown in Attachments 3 thru 5, based on the findings contained in Attachment 1;
 - 4) Approve regulations for Mixed-Use Development as set forth in Zoning Ordinance Chapter 17.14 with the addition of section .220 as shown in Attachment 6, based on the findings contained in Attachment 1. (Refer 6/9/09, Item 31)

PUBLIC COMMENT:

R. Mayer RE: Affordable Housing Coalition. Mixed Use is needed. Big companies providing housing for their employees.

C. Lewis RE: Agree with Norma. Need to plan for mixed use.

K. Yates RE: Can't trust politicians

F. ___ RE: Create strategic objectives. Slow down. Do it right.

T. Schwank RE: Keep is to existing commercial lands. Do not use Ag Lands. Keep to 10 units per acre not 24 units. Live Work

L. Baley Hacker RE: Get a plan first

S. Ross RE: Public affected did not hear about the hearing today nor the one last month. Missouri Flats will build out from 3,000 to 35,000

Dr. Boyland RE: Diamond Springs. Need a vision statement for mixed use. Affordable housing

A. Marinaccio RE: pointing fingers in ridiculous. Mixed use was started in 2005. Moving at the speed of El Dorado (Not Fast) General Plan does not accommodate Mixed Use.

K. Russell RE: Mixed use has been forced by environmental groups. Driven by state.

A. Howard: Stage 1 of process. Stage 2 of process is Form Based Codes, Should not be one size fits all. Proactive tool to meet future RHNA goals.

B. Smart RE: Can't have one size fits all. People do not want that. People need a sense of local control.

J. Brunello RE: MUD General Plan MFD is only one that meets RHNA numbers. Mixed Use can only be done in commercial or community regions. Community Design Group EDAC first meets in two days.

T. Giorgiades RE: Why two factions speaking about the same thing. MUD is a citizens group.

C. Wolfe RE: Who is going to decide what is in the Community?

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to continue this matter to August 4, 2009.

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

64. [09-0702](#) Development Services Department, Planning Services Division, recommending adoption of Resolution approving the General Plan amendments considered by the Board during the June 2009 "General Plan Window."

Resolution 160-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Resolution 160-2009 as amended with the deletion of section 2.

Yes: 4 - Knight, Sweeney, Nutting and Briggs

Noes: 1 - Santiago

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

65. [09-0817](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: El Dorado County v. Loring Brunius, et al., El Dorado County Superior Court Case No. PC20010482. (Cont'd 6/23/09, Item 47)
No Action Reported
66. [09-0683](#) Pursuant to Government Code Section 54957.6; **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources and/or his 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.
No Action Reported
67. [09-0885](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Paul Sayegh v. County of El Dorado, et al., El Dorado County Superior Court Case PC20090366.
By unanimous vote of the Board County Counsel was authorized to defend the matter and to hire Mike Brady as outside counsel.
68. [09-0892](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Cameron Park Community Services District v. El Dorado County, et al., Sacramento County Superior Court Case 07CS00059. One (1) potential case.
No Action Reported
69. [09-0793](#) **Pursuant to Government Code Section 54956.9(b), Anticipated Litigation:** Significant Exposure to litigation: One (1) potential case.
Title: Bass Lake Hills Specific Plan and Public Facilities Financing Plan.
No Action Reported

ADDENDUM**CLOSED SESSION**

70. [09-0899](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-01-1520. x-ref: (Meyers Landfill Site)

No Action Reported

71. [09-0900](#) Pursuant to Government Code Section 54957, **Public Employee Appointment:** Title: Director of Human Services.

By unanimous vote of the Board, Daniel Nielson was appointed to the position of Human Services Director at step 3 of the salary range effective July 20, 2009.

DEPARTMENT MATTERS

72. [09-0895](#) Human Services Department recommending the Board approve the use of five boilerplate agreements and associated documents, contingent upon confirmation of County Counsel and Risk Management approval, and authorize the Director or Assistant Director of Human Services, or successors, to sign on behalf of the County said agreements and associated documents with various governmental and community entities to enable individual eligible clients participating in the Department's Workforce Investment Act Program activities to gain training and/or paid work experience to improve their employability in the open job market. Subject agreements are 1) On-The-Job-Training (OJT) Contract; 2) Work Experience Worksite Agreement (Outside Employer), one of which is with Alpine County; 3) Work Experience Worksite Agreement; 4) Individual Referral (IR) Training Contract; and 5) Individual Training Account (ITA) Contract.

FUNDING: Federal Workforce Investment Act Allocation

This matter was Approved on the consent calendar

73. **09-0877** Transportation Department recommending the Chairman be authorized to sign the Cooperative Agreement with the State of California, Department of Transportation AGMT 08-52582 (District Agreement 03-0387) for the U.S. Highway 50/Missouri Flat Road Interchange Improvements - Phase 1B Project.

FUNDING: Various State, Federal and local funds.

This matter was Approved on the consent calendar

74. [09-0890](#) Transportation Department recommending adoption of Resolution sanctioning the closure of Marshall Road between Garden Valley Road and Greenwood Road in Garden Valley on Saturday, July 4, 2009, between 10:00 a.m. and 11:00 a.m. for the "Garden Valley Annual 4th of July Parade and Celebration," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 161-2009

Adopted Resolution 161-2009 on the consent calendar.

75. [09-0894](#) Transportation Department recommending Chairman be authorized to sign the following:
- 1) Second Amendment to Transfer Agreement with South Tahoe Area Transit Authority (STATA) regarding the operation and funding of Bluego Oncall Demand Responsive Transit Services;
 - 2) Resolution authorizing the department to file a claim for 2009-2010 Transportation Development Act (TDA), Local Transportation Funds (LTF) for operation of the South Lake Tahoe Transit Program;
 - 3) Claim to the Tahoe Regional Planning Agency (TRPA) for LTF in the amount of \$241,540;
 - 4) Resolution authorizing TRPA to utilize Transit System Safety, Security and Disaster Response Account (TSSSDRA) Funds provided to the County by the Governor's Office of Homeland Security (OHS) through the California Transit Assistance Fund Program in the amount of \$1,282 for video surveillance cameras to be installed on buses; and
 - 4) Budget Transfer establishing appropriations and revenue for Fiscal Year 2009-2010.

Resolution 162-2009 and Resolution 163-2009

FUNDING: TDA - LTF.

NO PUBLIC COMMENT

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

- 1) **Authorize the Chairman to sign the Second Amendment to Transfer Agreement with South Tahoe Area Transit Authority;**
- 2) **Adopt Resolution 162-2009 authorizing the department to file a claim for 2009-2010 Transportation Development Act, Local Transportation Funds for operation of the South Lake Tahoe Transit Program;**
- 3) **Authorize the Chairman to sign the claim to the Tahoe Regional Planning Agency (TRPA);**
- 4) **Adopt Resolution 163-2009 authorizing TRPA to utilize Transit System Safety, Security and Disaster Response Account Funds; and**
- 5) **Authorize the Budget Transfer.**

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

ADDENDUM NO. 2

DEPARTMENT MATTERS

76. [09-0737](#) Supervisor Nutting requesting authorization for the Chairman to sign a response letter to Senator Diane Feinstein's June 25, 2009 letter regarding the State of California National Forests.

This matter was Approved on the consent calendar