



County of El Dorado

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, December 15, 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 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.

330 Fair Lane, Building A
Placerville, California
530-621-5390
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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 Nutting, Supervisor Sweeney, 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 adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 11, 13, 14, and 17 were pulled from the Consent Calendar, Items 29, 31, 34, 35, and 37 were added to the Consent Calendar, Item 7 was continued to January 12, 2009 and Item 38 was continued off calendar.

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

OPEN FORUM**PUBLIC COMMENT**

T. Schwank RE: Greenwood Hills next to working agricultural land.
P. Arnold RE: Issues with Child Protective Services.

BUDGET UPDATE**PRESENTATIONS**

1. [09-1480](#) **PRESENTATION** by the El Dorado County Choir, directed by Kathie Martin. (Est. Time: 20 Min.)
No Formal Action Required.

2. [09-1490](#) **PRESENTATION** of check from the Shingle Springs Band of Miwok Indians per the Memorandum of Understanding and Intergovernmental Agreement; and adoption of Resolution extending congratulations to the Tribe on the first year of operation of the Red Hawk Casino. (Est. Time: 10 Min.)
Resolution 265-2009
A motion was made by Supervisor Knight, seconded by Supervisor Santiago to adopt Resolution 265-2009.
Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

3. [09-1457](#) **PRESENTATION** of a Certificate of Recognition by Supervisor Nutting to William McKinney for achieving the rank of Eagle Scout, Troop 700, in the Boy Scouts of America. (Est. Time: 10 Min.)
No Formal Action Required.

4. [09-1489](#) **PRESENTATION** by the Experimental Aircraft Association, Hangtown Chapter 512 in regard to the U. S. Marine Core Reserve Toys for Tots Program in El Dorado County. (Est. Time: 10 Min)
No Formal Action Required.

5. [09-1496](#) **PRESENTATION** by Dr. Vicki Barber providing an update to the Board on the state of education in the County of El Dorado. (Est. Time: 15- 20 Min)
Received report.

6. [09-1494](#) **PRESENTATION** of Certificates of Recognition to Sheriff Department's Personnel in Military Service. (Est. Time: 20 Min)
No Formal Action Required.

CONSENT CALENDAR

7. [09-1488](#) Chief Administrative Office recommending the Board authorize the Chairman to sign an agreement pertaining to the collection of park and recreation fees for the Georgetown Divide Recreation District.
This matter was continued to January 12, 2009 upon approval of the agenda.

8. [09-0882](#) Chief Administrative Office, Office of Economic Development Division (OED), recommending the Board authorize the Chairman to sign the following grant agreements which support the implementation of the "Vital Assets" Business Assistance, Layoff Aversion and Employee Retention Program subject to approval and/or minor revisions by County Counsel and Risk Management:
1) Grant Agreement K074139-06 with the Golden Sierra Job Training Agency in the amount of \$101,102.40 for the term July 1, 2009 through June 30, 2010 for Fiscal Year 2009/2010;
2) Service Agreement 270-S1011 with Kathleen Matranga-Cooper in the amount of \$33,910 for a term through June 30, 2010 for Fiscal Year 2009/2010;
3) Service Agreement 289-S1011 with Sacramento Metropolitan Chamber of Commerce in the amount of \$47,500 for a term through December 31, 2013 for the continuation and expansion of the Metropulse Business Retention and Expansion (BRE) program; and
4) Approve Budget Transfer 2010031 increasing revenues and appropriations in the Chief Administrative Office Economic Development Index Code No. 022000 by \$101,102.40 for Fiscal Year 2009/2010.

This matter was Approved on the consent calendar.

9. [09-1460](#) Elections Department recommending the Board declare the results of the official canvas of the November 3, 2009 Consolidated Districts Election conducted by the Registrar of Voters.

This matter was Approved on the consent calendar.

10. [09-1419](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign Memorandum of Understanding 054-M1011 with California Department of Mental Health, delineating responsibilities and requirements relative to State and local compliance with the Privacy Act of 1974, as amended, to ensure the privacy and security of Medi-Cal Personally Identifiable Information, noting said Agreement shall become effective when fully executed by both parties and shall remain in effect until terminated.

FUNDING: Initial funding from Realignment and/or Tobacco Settlement with planned recoupment of expenses from Medi-Cal, MHSA, and grant funds (amortized expenses recouped through indirect component of the billing rate).

This matter was Approved on the consent calendar.

11. [09-1462](#) Probation Department requesting authorization for the Chief Probation Officer to file an application for the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG), administered by the California Emergency Management Agency (Cal EMA) for the purpose of an Evidence-Based Probation Supervision Program (EBPSP).

FUNDING: Edward Byrne Memorial Justice Assistance Grant (JAG).

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

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

12. [09-1426](#) Recorder-Clerk-Registrar of Voters recommending the Board take the following actions:

- 1) Ratify the Registrar of Voters' application for HAVA grant funds and Budget Transfer 2010030 for same;
- 2) Adopt Resolution approving proposed agreement for grant funds in the amount of \$7,000 available under the "Help America Vote Act (HAVA) Elections Assistance for Individuals with Disabilities Section 261 Program;" and
- 3) Authorize Recorder-Clerk-Registrar of Voters to sign and execute said agreement.

FUNDING: Federal HAVA Section 261 Program grant funding.

Resolution 266-2009

Approved this matter and adopted Resolution 266-2009 upon approval of the consent calendar.

13. [08-1071](#) Sheriff's Department recommending Chairman and Sheriff be authorized to sign the Amendments to Cooperative Law Enforcement Agreement 08-LE11051360-002 with the United States Department of Agriculture, Forest Service, Eldorado National Forest and Lake Tahoe Basin Management Unit in the total amount of \$36,000 for a term beginning on October 1, 2009 to September 30, 2010 for Operations, and beginning September 30, 2010 for Patrol, to provide funding for Patrol and Operations in the Eldorado National Forest.

FUNDING: US Department of Agriculture, Forest Service.

No Public Comment

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

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

14. [09-1474](#) Sheriff's Department recommending adoption of Resolution for the 2010 update to the El Dorado County Multi-Jurisdictional Hazard Mitigation Plan for the purpose of increasing safety for citizens of the County during natural hazard events, while reducing the risk of loss of life and property.

Resolution 267-2009

No Public Comment

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt Resolution 267-2009.

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

15. [09-1439](#) Transportation Department recommending adoption of Resolution authorizing the Director of Transportation to apply for California Energy Commission Energy Efficiency and Conservation Block Grant federal stimulus funding through the American Recovery and Reinvestment Act.

FUNDING: California Energy Commission Energy Efficiency and Conservation Block Grant (EECBG) funding.

Resolution 268-2009

No Public Comment

Adopted Resolution 268-2009 upon approval of the consent calendar.

16. 08-1404

Transportation Department recommending the following pertaining to the Rite Aid at Cameron Ranch Project:

- 1) Accept as complete the constructed improvements at the intersection of Green Valley Road and Starbuck Road;
- 2) Reduce Performance Bond No. 4363217 by \$550,091.92 to \$61,121.32 to guarantee against defective work, labor done or defective materials furnished and release after one year if no claims are made; and
- 3) Hold Laborers and Materialmens Bond No. 4363217 in the amount of \$611,213.24 to guarantee payment to persons furnishing labor, materials or equipment and release in six months if no claims are made.

FUNDING: Developer, Celtic Properties

This matter was Approved on the consent calendar.

17. 09-1405

Transportation Department recommending Chairman be authorized to sign Amendment I to Lease Agreement 379-L0211 with Emerald Bay Properties, LLC, reducing the amount of monthly rent payments from \$15,997.51 to \$14,400 per month commencing January 1, 2010 and ending April 14, 2012 for office space located at 924 Emerald Bay Road in South Lake Tahoe, noting monthly rent shall be adjusted on April 15, 2011 and annually thereafter, in an amount equal to three (3%) percent, cost per 6,000 square feet is \$2.40 per square foot, and overall yearly cost to be lowered by \$19,170.12.

FUNDING: Road Fund and recovered through overhead rates charged to State and Federal Grants

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

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

18. 09-1369

Transportation Department recommending the Board authorize the Chairman to sign the Notice of Acceptance with A. Teichert & Son, Inc., dba Teichert Construction, for the Asphalt Concrete Overlay 2009 - Lotus Road Project, Contract No. PW 09-30416 (CIP Project No. 72177) in Lotus.

FUNDING: This Project was funded with American Recovery and Reinvestment Act of 2009-Regional Surface Transportation Program funds.

This matter was Approved on the consent calendar.

19. [09-1438](#) Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement For Public Purposes and Certificate of Acceptance for the related Deed from Stephen S. Kramer and Kaye S. Kramer, Trustees of the Stephen S. Kramer and Kaye S. Kramer Trust Agreement Dated March 23, 1998 for APN 069-340-04; and authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Green Valley Road at Tennessee Creek - Bridge Replacement Project No. 77109.

FUNDING: Highway Bridge Program, Highway Safety Improvement Program Grants and the 2004 GP Traffic Impact Mitigation Fee program.

This matter was Approved on the consent calendar.

20. [09-1200](#) Transportation Department recommending the Board authorize the Chairman to sign the following Amendments with California Tahoe Conservancy:
1) Amendment 1 to Agreement CTA 04019 for Monterey Estates Erosion Control Projects;
2) Amendment 1 to Agreement CTA 04028 for the Angora Creek Fisheries and Cold Creek Fisheries Enhancement Projects; and
3) Amendment 1 to Agreement CTA 04036 for Christmas Valley Phase 1 Stream Environment Zone Project.

This matter was Approved on the consent calendar.

21. [09-1338](#) Transportation Department recommending the Board receive and file the Impact Fee Program Report for the 2008/2009 Fiscal Year.

This matter was Approved on the consent calendar.

22. [09-1416](#) Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement For Public Purposes and Certificates of Acceptance for the related Deeds from Jessie E. Church, Trustee of the Jessie E. Church Living Trust Dated 11-16-99 for APN 069-101-31; and authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Green Valley Road at Tennessee Creek - Bridge Replacement Project No. 77109.

FUNDING: Highway Bridge Program, Highway Safety Improvement Program Grants and the 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was Approved on the consent calendar.

23. 09-1417

Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement for Public Purposes and Certificates of Acceptance for the related deeds from Cynthia A. Sanchez and Louis A. Sanchez, Wife and Husband as Joint Tenants for APN 069-241-15; and authorize the Director of Transportation or his designees to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Green Valley Road at Tennessee Creek - Bridge Replacement Project No. 77109.

FUNDING: Highway Bridge Program, Highway Safety Improvement Program Grants and the 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was Approved on the consent calendar.

24. 09-1418

Transportation Department recommending Chairman be authorized to sign Acquisition Agreement For Public Purposes and Certificates of Acceptance for the related deeds from Mary L. Johnston for APN 069-101-86; and authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Green Valley Road at Tennessee Creek - Bridge Replacement Project No. 77109.

FUNDING: Highway Bridge Program, Highway Safety Improvement Program Grants and the 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR**DEPARTMENT MATTERS****25. 09-1486**

Chief Administrative Office and Health Services Departments providing the Board of Supervisors with a status update on the 2009 seasonal flu, H1N1 and the County of El Dorado's Continuity of Operation Plan (COOP).

Received Report.

26. 09-1491 Chief Administrative Officer requesting the Board approve changes to the operation of Joe's Skate Park based on recommendations from the Skatepark Committee.

PUBLIC COMMENT

K. Rogers RE: Safety aspects facing the skate park.

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

- 1) Approve changes to the operation of Joe's Skate Park; and**
- 2) Direct staff to return with a status report in February 2010.**

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

27. 09-0992 Chief Administrative Office recommending the Board consider adoption (second reading) of an ordinance implementing Revenue and Taxation Code Section 69.5 (Proposition 90/110) authorizing receipt by the County of El Dorado of inter-county tax base year transfers. (Cont'd 12/10/09, Item 52) (Est. Time: 5 Min.)

FUNDING: A \$500.00 application fee will be charged by the County of El Dorado to cover the cost associated with the research and processing of Prop 90 and 110 applications. The effect on the County ad valorem property tax base is yet to be determined however all applications and impacts will be tracked.

PUBLIC COMMENT

S. Taylor RE: Negative impacts on the County.

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Ordinance 4832.

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

28. 09-1434 Human Services Department (DHS) providing update on American Recovery and Reinvestment Act (ARRA) Grant Contract 09C-1808 and proposed Amendment 1 for the Department of Energy American Recovery and Reinvestment Act Weatherization Assistance Program (DOE ARRA WAP) for the term of June 30, 2009 through March 30, 2012 in the amount of \$756,212 and requesting Board direction regarding continuation of activities under the grant.

FUNDING: Federal ARRA funds through grant administered by the California Department of Community Services and Development.

A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to approve Option 2: Decline DOE ARRA contract, as follows:

- 1) Direct staff to cease grant implementation activities;**
- 2) Direct staff to notify CSD that El Dorado County declines to sign Amendment 1 to DOE ARRA WAP Contract 09C-1808 and exercises the 30-day mutual termination clause; and**
- 3) Direct staff to proceed with processing all weatherization applications received under the enhanced LIHEAP program.**

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

29. [09-1485](#) Human Resources Department recommending adoption of Resolution amending the Salary Schedule and implementing new rates for the classes affected by El Dorado County Charter Section 504.

FUNDING: General Fund Department 15.

Resolution 269-2009

Adopted Resolution 269-2009 upon approval of the consent calendar.

30. [09-1459](#) Human Resources Department recommending adoption of Resolution for completion of the impasse procedure by imposing the Modified Last, Best, and Final Offer as attached to the Resolution covering the wages, hours and other terms and conditions of employment between the County of El Dorado and the Deputy Sheriffs Association representing employees in the Law Enforcement bargaining unit as provided in the Employer/Employee Relations Resolution 10-83, as amended, under Article IV, Section 18 (b); and authorize Chairman to sign said Resolution to impose the attached Modified Last, Best, and Final Offer.

Resolution 270-2009

PUBLIC COMMENT

G. Murphy RE: Three issues the DSA was bargaining about.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 270-2009.

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

31. [09-1483](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Agreement for Services 273-S1010 with Bickmore Risk Services for a six month term in an amount not to exceed \$50,000 to provide services to assist with the annual study of El Dorado County's self-insured workers' compensation and liability programs and to provide an assessment and recommendation on the structure and operations of the current Risk Management Program, subject to approval and/or minor revision by County Counsel, Auditor and Chief Administrative Office.

FUNDING: Risk Management.

This matter was Approved on the consent calendar.

32. [09-1449](#) Transportation Department recommending the following pertaining to the White Rock Road/Post Street Signal:
1) Direct said Department to remove the White Rock Road/Post Street Signal Project No. 73310 from the Capital Improvement Program and cease all work on the installation of a traffic signal at this location.

A motion was made by Supervisor Nutting, seconded by Supervisor Knight, to direct staff to push project 73310 off for review in one year.

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

33. 09-0974 Transportation Department recommending the Board consider adoption (second reading) of a Ordinance 4833 establishing an application fee for the Roadside Memorial Signs Program. (Refer 12/10/09, Item 53)(Est. Time: 5 Min.)(DOT)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Ordinance 4833.

Yes: 3 - Knight, Briggs and Santiago

Noes: 2 - Nutting and Sweeney

34. 09-1424 Environmental Management Department, Air Quality Management District, recommending adoption of Resolution certifying Final Environmental Impact Report (FEIR) prepared for the proposed DST Output West Printing Capacity Expansion Project. (Est. Time: 10 Min.) (Cont'd 12-10-09, Item 55)

Resolution 271-2009

Adopted Resolution 271-2009 upon approval of the consent calendar.

35. 09-1425 Environmental Management Department, Air Quality Management District , recommending adoption of Resolution approving a one-time transfer of emission reduction credits from Sacramento Metro Air Quality Management District to DST Output West facility in El Dorado Hills. (Cont'd 12-10-09, Item 56) (Est. Time: 10 Min.)

Resolution 272-2009

Adopted Resolution 272-2009 upon approval of the consent calendar.

36. 08-0832 Development Services Department recommending Chairman be authorized to sign Agreement with Sierra Ecosystems Associates (SEA) for preparation of the first phase of the Integrated Natural Resources Management Plan. (Cont'd 12/10/09, Item 57) (Est. Time: 30 Min.)

FUNDING: County General Fund.

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

**1) Direct staff to make the final amendments to the agreement as discussed; and
2) Authorize the Chairman to sign amended agreement.**

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

37. 09-1492

Auditor-Controller recommending the following:

- 1) Receive and file the Annual SB 165 Report for Community Facilities District No. 1992-1, Community Facilities District 2001-1, Community Facilities District No. 2005-1 and Community Facilities District 2005-2; and
- 2) Adopt Resolution accepting the report.

Resolution 273-2009

Approved this matter and adopted Resolution 273-2009 upon approval of the consent calendar.

38. 09-1085

Chief Administrative Office providing the Board with an update on activity regarding the Equity Exchange Agreement from the El Dorado Center in South Lake Tahoe to the Juvenile Hall Space in Placerville; and requesting direction regarding same. Currently under review are:

- 1) Agreement for Equity Exchange transferring the Court's equity in the El Dorado Center for a similar interest in Juvenile Hall;
- 2) Agreement to Terminate the Joint Occupancy Agreement ending the Joint Occupancy Agreement entered into in 2008 for the El Dorado Center; and,
- 3) New Joint Occupancy Agreement setting forth the terms and conditions of the Court's occupancy of a portion of Juvenile Hall.

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

2:00 P.M. - TIME ALLOCATION**39. 09-1437**

Hearing to consider the recommendation of the Planning Commission on Rezone Z06-0040/Parcel Map P06-0043 on property identified by APN 073-020-43, consisting of 46.23 acres, in the Cool area, submitted by Susan Marcyan; and recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
- 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures in the Conditions of Approval listed in Attachment 1;
- 3) Approve Z06-0040 rezoning APN 073-020-43 from Residential Agricultural 20-Acre-Planned Development (RA-20-PD) to Residential Agricultural 20-Acre (RA-20) based on the Findings listed in Attachment 1;
- 4) Approve Parcel Map P06-0043 based on the Findings and subject to the Conditions of Approval listed in Attachment 1; and
- 5) Adopt Ordinance 4837 for said rezone. (Supervisorial District IV)

Hearing no protest, a motion was made by Supervisor Briggs, seconded by Supervisor Knight, as follows:

- 1) Adopt the Mitigated Negative Declaration;
- 2) Adopt the Mitigation Monitoring Program;
- 3) Approve Rezone Z06-0040;
- 4) Approve Parcel Map P06-0043; and
- 5) Adopt Ordinance 4837.

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

40. 09-1446

Hearing to consider the recommendation of the Planning Commission on Rezone Z06-0025/Tentative Map TM06-1419/Kamm Park Subdivision on property identified by APN 116-040-07, consisting of 5.07 acres, in the Cameron Park area; submitted by Kamm Ghalamkar; and recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with Section 15074(d) of the CEQA Guidelines, incorporated in the Conditions of Approval listed in Attachment 1;
- 3) Approve Z06-0025 rezoning APN 116-040-07 from Estate Residential Five-Acre-Airport Safety (RE-5-AA) to One-Family Residential (R1) for Lots 1-5 (including Right-of-Way) and One-Family Residential-Airport Safety (R1-AA) for Lots 6 and 7 based on the Findings listed in Attachment 1;
- 4) Approve Tentative Map TM06-1419 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
- 5) Approve the following Design Waiver requests: (a) Reduction of sidewalk width along Rancho Tierra Court from six feet to four feet; (b) Exceed 3 to 1 lot depth-width ratio for Lot 7; and (c) Reduction of off-site road width from 28 feet to 20 feet with 1-foot shoulders and asphalt concrete (AC) curbs, and without concrete curbs, gutters or sidewalk; and
- 6) Adopt Ordinance for said rezone. (Supervisorial District I)

PUBLIC COMMENT

G. Duncan RE: Sewerline easement. Concerns regarding the development for the neighbors.

After hearing public testimony, a motion was made by Supervisor Knight, seconded by Supervisor Sweeney, as follows:

- 1) Adopt the Mitigated Negative Declaration;
- 2) Adopt the Mitigation Monitoring Reporting Program;
- 3) Approve Rezone Z06-0025;
- 4) Approve Tentative Map TM06-1419;
- 5) Approve the Design Waiver requests; and
- 6) Adopt Ordinance 4838.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Noes: 1 - Santiago

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

CLOSED SESSION**41. 09-1391**

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.

42. 09-1477

Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): 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.

43. 09-1497

Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the following real properties:

- 1) Equity exchange of court portion of court facility at 1354 Johnson Boulevard, City of South Lake Tahoe, California for space in County Juvenile Hall, 299 Fair Lane, Placerville, California; and
- 2) Transfer of Responsibility of courthouse on 495 Main Street, Placerville, California to State of California.

The person or persons with whom the negotiator may negotiate is the State of California, Administrative Office of the Courts. Instructions to negotiator will concern price and term of payment. Gayle Erbe-Hamlin, Chief Administrative Officer, and Kelly Webb, Principal CAO Analyst, will be the negotiators on behalf of El Dorado County.

No Action Reported.