



County of El Dorado

330 Fair Lane, Bldg A
Placerville, California
530-621-5390
FAX 530-622-3645
edcgov.us/bos

MEETING AGENDA Board of Supervisors

Ray Nutting, Chair, District II
John R. Knight, First Vice Chair, District I
Ron Briggs, Second Vice Chair, District IV
James R. Sweeney, District III
Supervisor Norma Santiago, District V

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Louis B. Green, County Counsel

Tuesday, April 12, 2011

8:00 AM

Board of Supervisors Meeting Room

Vision Statement

"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

Public Testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' website at www.edcgov.us subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

OPEN FORUM

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

1. [11-0198](#) Supervisor Nutting recommending the Board adopt a Proclamation recognizing the month of May as "National Bike Month" and encouraging everyone to join the "Great Bike Ride" on the Forni Road to Missouri Flat section of the El Dorado Trail on Tuesday, May 3, 2011.

2. [11-0377](#) HEARING - Supervisor Norma Santiago, on behalf of the City of South Lake Tahoe, recommending the Board hold a public hearing and adopt a Resolution approving the issuance of Multi-Family Housing Revenue Bonds, not to exceed \$11,000,000, for the purpose of financing the acquisition, construction and development of the Aspens at South Lake Tahoe, a 48-unit multifamily rental housing project located at 3521 and 3541 Pioneer Trail, South Lake Tahoe, California. (Est. Time: 15 Min.)

CONSENT CALENDAR

3. [11-0378](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, April 4, 2011, and the Regular Meeting of Tuesday, April 5, 2011.
4. [10-1332](#) Clerk of the Board of Supervisors recommending the Board appoint the following people to serve as members on the Trails Advisory Committee for terms to expire January 2015:
1) Lynn Murray; 2) Carolyn Gilmore; 3) Lindell Price; and 4) Michael Kenison. (Refer 1/4/11, Item 17)
5. [11-0357](#) Clerk of the Board recommending the Board consider the following regarding the Sacramento-Placerville Transportation Corridor Joint Powers Authority:
1) Appoint Supervisor Knight as the Representative; and
2) Appoint Supervisor Nutting as the Alternate. (Cont'd 4/5/11, Item 20)
6. [11-0367](#) Acting as the Air Quality Management District Board:
1) Authorize Chair to sign a letter of support for Assembly Bill 146 to add a member to the California Air Resources Board representing the federally-designated Sacramento region non-attainment area; and
2) Authorize the Interim Air Pollution Control Officer to provide additional letters of support for this bill as needed throughout the legislative process.

FUNDING: N/A.

7. [11-0351](#) Chief Administrative Office recommending Chair be authorized to sign Agreement #422-S1111 with Stephen A. Tapson for indigent defense/conflict panel services from date of execution through June 30, 2011 in an amount estimated at \$11,500 for the remainder of FY 2010-11.

FUNDING: General Fund.

8. [11-0307](#) Development Services Department, Planning Services Division, recommending the Board certify that the Notice of Non-Renewal for Agricultural Preserve No. 322/Roy and Marilyn Rutz (APNs 088-020-79, 088-020-72, and 088-020-81) has been submitted and is consistent with the Board of Supervisors' Policy C-12. (Supervisorial District 4).

9. [11-0210](#) Environmental Management Department recommending the Board authorize the Director of said department to sign the first amendment, effective December 15, 2010, to Change Order #015 with Sukut Construction for an increase in the amount of \$775,000 for the total not to exceed amount of \$1,000,000 for additional work required due to a number of issues, errors and omissions with the Final (100%) Remedial Design provided to the County by the U.S. Forest Service for the construction of the Cap System, French Drain and Landfill Gas Emission Control System Operable Unit 1 at the Meyers Landfill (Public Works Contract No. 013-PW-09/10-BOS) and in doing so, find that it is in the public interest to waive competitive bidding for the work described therein.

FUNDING: \$750,000 from the CalRecycle Waste Board Grant and \$250,000 from the Meyers Landfill Disbursement Account currently held by the U.S. Forest Service.

10. [11-0342](#) Environmental Management Department requesting the Board adopt a Resolution authorizing the Director of said Department to execute and submit an application and all necessary documentation to the Department of Resources Recycling and Recovery (CalRecycle) to secure grant funding in an amount up to \$33,873 for a term of 4/12/11 through 4/15/13 for the enhancement of the Department's Household Hazardous Waste Program (HHW) at Fire Station #86 in El Dorado Hills.

FUNDING: Department of Resources Recycling and Recovery (CalRecycle). Household Hazardous Waste Grant, 19th Cycle, FY 2010/2011.

11. [11-0332](#) Health Services Department recommending the Board approve and authorize said Department to sign a letter of support for Healthy Kids Healthy Future's grant application for a Children's Health Insurance Program Reauthorization Act (CHIPRA) Outreach and Enrollment grant.

FUNDING: This letter of support has no financial implication to the County.

12. [11-0046](#) Department of Transportation recommending the Board authorize the Chair to sign retroactive Agreement CTA-10004 and Contractor Certification CCC-307 for same with the California Tahoe Conservancy in the amount of \$3,833 for the term October 12, 2010 through June 30, 2011 for the transfer to El Dorado County of twenty-five percent of the gross income from California Tahoe Conservancy leases to private individuals or groups on lands owned by the California Tahoe Conservancy in El Dorado County.

FUNDING: California Tahoe Conservancy.

13. [11-0253](#) Department of Transportation recommending the Board adopt a resolution to claim an allocation of \$140,000 of Transportation Development Act, Article 3 funds for the Northside School Bike Path Phase 2, project 72306.

FUNDING: Transportation Development Act (TDA) Article 3 Funds.

14. [11-0310](#) Department of Human Services recommending the Board approve and authorize the Purchasing Agent to execute Agreement for Services 401-S1111 with the Kinship Center, a foster family agency, for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis. The Agreement allows placement by the Human Services Department and the Probation Department, is effective upon execution, shall continue until terminated and specifies a maximum annual compensation of \$100,000.

FUNDING: Federal and State Social Services Allocation with required County Share of Cost met primarily with realignment resources.

15. [11-0374](#) Supervisor Nutting recommending the Board adopt a Resolution designating the El Dorado Arts Council as the County's local partner with the California Arts Council.

16. [11-0347](#) Supervisor Nutting recommending the Board approve the appointment of Eric Rasbold to serve as District II alternate on the Veterans Affairs Commission for a term to expire January 2013.

17. [10-0869](#) Supervisor Sweeney recommending the Board appoint Dale Pierce to the Diamond Springs/El Dorado Community Advisory Committee for a term to expire on April 12, 2015.

18. [11-0379](#) Supervisor Santiago recommending the Board consider the following pertaining to the Child Abuse Prevention Council:
- 1) Appoint Ellen Baldwin and Cathie Watson to serve on the Child Abuse Prevention Council for a term to expire 2012; and,
 - 2) Reappoint Gail Healy, Dee Cutter, David Ashby, Cheryl Warchol, Lorrie Evers, Leanne Wagoner, Wendy David, Suzanne Allen de Sanchez, Alissa Nourse, Michael Ungeheuer and Kim Nida for terms to expire 2013.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

19. [11-0341](#) HEARING - Acting as the Board of Commissioners of the El Dorado County Public Housing Authority (EDCPHA), adopt a Public Housing Authority Resolution to:
- 1) Acknowledge the EDCPHA as a high performing agency exempt from the requirement to submit an annual Agency Plan update;
 - 2) Approve a required annual amendment to the PHA Administrative Plan for the Section 8 Housing Choice Voucher Program for submittal to the Department of Housing and Urban Development;
 - 3) Authorize the Chair to sign the accompanying PHA Civil Rights Certification; and
 - 4) Recognize the contribution of the PHA Participant Advisory Board in assisting with development of the Administrative Plan and amendments. (Est. Time: 15 Min.)

FUNDING: N/A

20. [11-0401](#) County Counsel recommending the Board consider authorizing commencement of negotiations for purchase of a portion of the property known as Assessor's Parcel Number 325-300-02, generally located on Gold Nugget Way (Briggs), and approving execution of an Agreement with Grubb and Ellis Commercial Real Estate Services for negotiating and brokerage services, subject to approval by County Counsel. (Est. Time: 10 Min.)

21. [11-0400](#) County Counsel recommending consideration of Conflict of Interest Issues associated with the Board's anticipated action to adopt a proposed ordinance approving the City of Placerville's Redevelopment Plan as it pertains to unincorporated County territory included in the plan, including possible random selection of a Board Member having a conflict of interest to make a quorum to take action on the proposed ordinance. (Est. Time: 30 Min.)
22. [11-0381](#) Supervisor Briggs recommending the Board:
1) Approve the Board of Supervisors' participation in the establishment and participation in an Indian Gaming Local Community Benefit Committee ("The Committee"), as defined by Government Code Section 12715;
2) Approve the appointment of Supervisors Briggs and Sweeney to The Committee; and
3) Approve the Chair's signature on letter to City of Placerville to request a recommendation(s) for the appointment of an elected representative from the City of Placerville. (Est. Time: 15 Min.)
23. [11-0370](#) HEARING - Per the request of South Tahoe Refuse Company, Inc., d/b/a Sierra Disposal Service consider their request to conduct a public hearing for adoption of Resolution increasing the solid waste collection rates by 5.6% effective May 1, 2011. (Est. Time: 30 Min.)
24. [11-0356](#) Development Services Department recommending the Board:
1) Receive a report pertaining to the Development Services Long-Range Planning 12-Month Action Plan; and
2) Direct staff to prepare a Fiscal Year 2010/2011 General Plan Implementation plan based on the priorities selected. (Cont'd 4/4/11, Item 4) (Est. Time: 1.5 Hrs.)

FUNDING: The cost of implementation is unknown at this time.

25. [11-0209](#) Development Services Department recommending the Board:
- 1) Authorize the Chair to sign Agreement for Services 351-S1111 with Tschudin Consulting Group to prepare an Environmental Impact Report (EIR) for the Zoning Ordinance update effective upon final execution for one (1) year with the option to extend for two (2) additional one (1) year periods at a not to exceed amount of \$221,580 on a time and material basis; and
 - 2) Authorize the Chair to sign a budget transfer decreasing General Fund Contingency by \$221,580 and increasing appropriations in Development Services by \$221,580 to fund the Agreement. (4/5 vote required) (Cont'd 4/5/11, Item 23)(Est. Time: 1 Hr.)

FUNDING: General Fund.

26. [11-0330](#) Development Services Department recommending the Board:
- 1) Receive and file the Draft Option Report for Phase II of the Integrated Natural Resources Management Plan (INRMP); and
 - 2) Concur with direction for the development of Phase II of the INRMP. (Est. Time: 1 Hr.)

FISCAL IMPACT: None at this time. Future costs to be determined with Phase II.

27. [10-1269](#) Department of Transportation recommending the Board:
- 1) Approve the recommendation of the Department of Transportation to allow two crossing easements on the Sacramento Placerville Transportation Corridor Joint Powers Authority Parcel located in Shingle Springs;
 - 2) Approve and authorize the Chair to sign the Easement Agreement with Norman Partners LLC; and
 - 3) Approve and authorize the Chair to sign the Easement Agreement with Ginney-Campoy LLC. (Cont'd 3/15/11, Item 12)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS*APRIL MEETINGS:*

- High Sierra Resource Conservation & Development Council - 2

MONTHLY MEETINGS:

- Cemetery Advisory Committee - 1 -

(http://www.co.el-dorado.ca.us/Government/Cemetery/Advisory_Committee.aspx)

- Chamber Of Commerce - County - 2/3 - (www.eldoradocounty.org)

- Chamber Of Commerce - South Lake Tahoe - 5/2 - (www.tahoechamber.org)

- Community Action Council – 2 &4&5

- El Dorado Water and Power Authority - Full Board -

(<http://www.edcgov.us/waterandpower/meetings.html>)

- Golden Sierra Job Training Agency - 5/4 - (www.goldensierrawib.com)

- Local Agency Formation Commission - LAFCO - 3&4 /2 - (www.edlafco.us)

- Mental Health Commission – 4 -

(www.co.el-dorado.ca.us/MentalHealth/Mental_Health_Commission_Meetings.aspx)

- Sierra Economic Development Corporation – 5/1 - (www.sedcorp.biz)

- Sierra Planning Organization – 5/1 -

(<http://www.sedcorp.biz/content/partners-affiliated-organizations>)

- Tahoe Conservancy – 5/2 - (www.tahoecons.ca.gov)

- Tahoe Paradise Resort Improvement District – 5

- Tahoe Regional Planning Agency – 5/2 - (www.trpa.org)

- Tahoe Transportation District – 5/2 - (www.tahoetransportation.org)

- Transit Authority – 1&2&3&4 - (www.eldoradotransit.org)

- Transportation Commission – 1&2&3&4 - (www.edctc.org)

- Water Agency – 2&3&4 - (<http://www.co.el-dorado.ca.us/Water/meetings.html>)

Note: The numbers after the commissions' names are the Supervisorial District of the representative and alternate. For example: 5/2 shows the District 5 Supervisor is the representative and District 2 is the alternate. There are a few commissions which have multiple representatives and these have been separated by "&". For example: 3&4/2 shows that Districts 3 & 4 are representatives and District 2 is the alternate.

ADJOURNMENT

CLOSED SESSION

28. 11-0382 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). (Est. Time: 15 Min.)
29. 11-0389 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Cameron Park Community Services District v. El Dorado County, et al., Sacramento County Superior Court Case 07CS00059. (Est. Time: 10 Min.)
30. 11-0385 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: County Service Area (CSA) No. 3 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 15 Min.)
31. 11-0386 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: County Service Area (CSA) No. 7 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 15 Min.)
32. 11-0398 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as a portion of APN: 325-300-02. The person or persons with whom the negotiator may negotiate John Briggs and/or Brian Briggs. Instructions to negotiator will concern both price and term of payment. Shelly Sandoval, Grubb & Ellis Commercial Real Estate, and Louis B. Green, County Counsel, will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)
33. 11-0397 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Chief Administrative Officer. (Est. Time: 30 Min.)

34. 11-0322

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 Sheriffs 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; and Unrepresented Employees. (Est. Time: 10 Min.)

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)
South Lake Tahoe - Charter Cable 21, Daily - Time varies

ANNOUNCEMENTS

Special Meeting – Monday, April 11, 2011

9:00 a.m. – 5:00 p.m. Animal Services

(Cont'd from 2/28/11, Item 1)

Regular Meeting - Tuesday, April 19, 2011 (Updated)

9:00 a.m. - 5:00 p.m. Placerville Redevelopment Plan with the City of Placerville - First Reading of Ordinance

Special Meeting – Monday, April 25, 2011

9:00 a.m. – Sheriff's Budget discussion/CAO recap of Budget (Cont'd from 4/5/11, Item 22)

Regular Meeting - Tuesday, April 26, 2011 (Updated)

9:00 a.m. - 5:00 p.m. Placerville Redevelopment with the City of Placerville - Second Reading of Ordinance