



County of El Dorado

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MEETING AGENDA

Board of Supervisors

Rusty Dupray, Chairman, District I
Ron Briggs, First Vice Chairman, District IV
Norma Santiago, Second Vice Chairman, District V
Helen K. Baumann, District II
James R. Sweeney, District III

Cindy Keck, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, September 23, 2008

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.co.el-dorado.ca.us subject to staff's ability to post the documents before the meeting.

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

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

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

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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.

PRESENTATIONS

1. [08-1398](#) Presentation of Certificate of Appreciation to Terese Clusiau in recognition of 35 years of dedicated service to the District Attorney's Office and the citizens of El Dorado County.

OPEN FORUM

UPDATES

CONSENT CALENDAR

2. [08-1456](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, September 16, 2008.
RECOMMENDED ACTION: Approve.

3. [08-1394](#) Human Services Department recommending Resolution **259-2008** authorizing Chairman to sign Contract 08-85437 with the California Department of Public Health in the amount of \$2,626,000 during the term October 1, 2008 through September 30, 2011 for operation of the Supplemental Food Program for Women, Infants and Children (WIC); authorizing Director of said Department to execute all documents relating to said Contract, including amendments thereto, contingent upon approval by County Counsel and Risk Management that do not affect the maximum dollar amount or the term and any subsequent required fiscal and programmatic reports; and ratification of the Department Director's signature on the funding renewal application and related documents submitted to the California Department of Public Health for the continuation of the WIC Program.

RECOMMENDED ACTION: Approve.

FUNDING: Federal Grant Funds.

4. [08-1403](#) Human Services Department recommending Resolution **260-2008** approving an Update to the 2005-2008 El Dorado County Child Abuse Prevention, Intervention and Treatment (CAPIT), Community-Based Child Abuse Prevention (CBCAP) and Promoting Safe and Stable Families (PSSF) Three-Year Plan updated to be in effect for the period 2008 - 2012; and recommending Chairman be authorized to sign Notice of Intent to contract with public or non-profit agencies to provide services in accordance with the Three-Year Plan, as updated, for submittal to the California State Department of Social Services.

RECOMMENDED ACTION: Approve.

FUNDING: Child Abuse Prevention, Intervention and Treatment (CAPIT), Community-Based Child Abuse Prevention (CBCAP) and Promoting Safe and Stable Families (PSSF) State and Federal Grant Allocations with no Match Requirement.

5. [08-1334](#) Library Director recommending Chairman be authorized to sign Certification of Grant Award 40-7043 with the State Library accepting \$2,970 in grant funding to provide reimbursement for staff to pursue a library degree; and Budget Transfer 29006 increasing revenue and appropriations for same. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: California State Library.

6. [08-1224](#) Environmental Management Department recommending Chairman be authorized to sign the Second Amendment to Agreement 004-A-06/07-11 with Owen Psomas, increasing the compensation by \$200,000 for an amount not to exceed \$290,000 and extending the term through December 12, 2010 to provide "as needed" waste water engineering services.
RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 10.
7. [08-1431](#) Environmental Management Department recommending Chairman be authorized to sign the Second Amendment to Agreement 026-A-07/08-BOS with NewPoint Group, Inc. increasing compensation by \$30,000 to an amount not to exceed \$117,320 for a one year term to expand the scope of work to include "as-needed" solid waste analysis services.
RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 10 Solid Waste.
8. [08-1356](#) Facilities and Fleet Services recommending adoption of Resolution **253-2008** authorizing Director of said Department to submit a grant application and execute grant agreement for Recreation Trails funding through the State Department of Parks and Recreation to continue construction efforts on the El Dorado Trail.
RECOMMENDED ACTION: Approve.
9. [08-1366](#) Facilities and Fleet Services Department recommending Chairman be authorized to sign Lease Agreement 252-L0911 with Wesley and Gertrude Wilkinson, trustees of the Wilkinson Revocable Trust, in the amount \$500.00 per month for the term October 1, 2008 through September 30, 2010 for the storage/over flow parking located at 3047 Briw Road in Placerville for the Department of Human Services.
RECOMMENDED ACTION: Approve.

FUNDING: State & Federal Funds.

10. [08-0789](#) Transportation Department requesting authorization to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Latrobe Road Realignment Project 73359 affecting portions of the following parcels: APN 117-020-15, Dennis A. Gardemeyer and Denice Gardemeyer, Trustees of the Gardemeyer Revocable Trust Dated March 10, 1993; APN 118-110-03, MJ318, L.P. a California Limited Partnership, Angelo K. Tsakopoulos, Tsakopoulos Family Partnership, a California General Partnership, and John C. Kemp and Lesley Ann Kemp Trustees of the John C. Kemp and Lesley Ann Kemp Family Trust Dated May 4, 1990; APN 117-020-14, Tony J. and Daisy P. Fan, Henry J. Chen, Jessie F. Chen, and Henry J. and Jessica F. Chen, as Trustees of the Chen 1998 Revocable Trust.

RECOMMENDED ACTION: Approve.

FUNDING: Funding for this acquisition will be provided by a Federal High-Risk Rural Roads Grant with matching funds from the Regional Surface Transportation Program Exchange Funds.

11. [08-1229](#) Transportation Department recommending adoption of Resolutions **257-2008** and **258-2008** acknowledging, but rejecting two Irrevocable Offers of Dedication (IOD 2008-12) from Silver Springs LLC, for drainage easements located on the properties identified as APNs 115-370-07, 115-370-02, 115-370-03, 115-430-55, 115-430-54 in the Rescue area, necessary to accommodate construction of Silver Springs Parkway (Onsite Improvements) Project 66107.

RECOMMENDED ACTION: Approve.

12. [08-1239](#) Transportation Department recommending adoption of Resolutions **255-2008** and **256-2008** accepting two Irrevocable Offers of Dedication (IOD 2008-13) from El Dorado Union High School District, for road right of way, public utilities and temporary construction easements located on the property identified as APN 115-370-10 in the Rescue area, necessary to accommodate construction of Silver Springs Parkway (Onsite Improvements) Project 66107.

RECOMMENDED ACTION: Approve.

13. [08-1281](#) Transportation Department recommending Performance Bond 82044784 in the amount of \$1,321,602.28 be reduced to \$400,384.21 for West Valley Village Unit 6C. (Cont'd 9/16/08, Item 24)
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.
14. [08-1279](#) Transportation Department recommending Performance Bond 82044783 in the amount of \$2,374,472.51 be reduced to \$722,530.33 for West Valley Village Unit 4 Subdivision. (Cont'd 9/16/08, item 25)
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.
15. [08-1278](#) Transportation Department recommending Performance Bond 82044781 in the amount of \$4,768,592.98 be reduced to \$3,378,150.67 for the West Valley Village Unit 3A Subdivision. (Cont'd 9/16/08, item 26)
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.
16. [08-1437](#) Human Resources Department recommending adoption of Resolution **263-2008** providing employees eligible for the Golden Handshake (window period July 18, 2008 to September 26, 2008) be provided with one opportunity to change health insurance programs.
RECOMMENDED ACTION: Approve.
17. [08-1352](#) Chief Administrative Office recommending adoption of Resolution **254-2008** to commemorate the centennial anniversary of the University of California, Davis.
RECOMMENDED ACTION: Approve.
18. [08-1401](#) Chief Administrative Office recommending Resolution **262-2008** be adopted amending Resolution 180-2008, which established the Authorized County Personnel Allocation based on the Fiscal Year 2008-09 Proposed Budget, to delete specified allocations resulting in a reduction in force.
RECOMMENDED ACTION: Approve.
19. [08-1427](#) Supervisor Baumann recommending waiver of rental fees for the Pioneer Volunteer Firefighters Association for use of the Pioneer Community Park Center and kitchen for the Association's 11th Annual 2009 Crab Banquet Fundraising events held on January, 2009.
RECOMMENDED ACTION: Approve.
20. [08-1455](#) Supervisor Briggs recommending John Nerwinski be appointed to the Assessment Appeals Board for a term to expire September 1, 2011.
RECOMMENDED ACTION: Approve.

- 21. [08-1297](#) Supervisor Santiago recommending Board approve letter of commitment of matching fund for an Economic Development Administration Technical Assistance grant to develop an Economic Prosperity Plan for the Lake Tahoe Basin.
RECOMMENDED ACTION: Approve.

- 22. [08-1368](#) Supervisor Briggs recommending the Board of Supervisors oppose Proposition 5, "The Nonviolent Offender Rehabilitation Act of 2008," on the November, 2008 state ballot.
RECOMMENDED ACTION: Approve.

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS**23. [08-1402](#)**

Hearing to consider adoption of Resolution **PHA 4-08** to:

1. Authorize submittal of a consolidated application to the Department of Housing and Urban Development (HUD) to allow the El Dorado County Public Housing Authority (PHA) to participate in the Continuum of Care (CoC) Homeless Assistance Programs to receive renewal funding in the amount of \$13,339 under the Supportive Housing Program allocation to continue to support the dedicated Homeless Management Information System (HMIS) project implementation and ongoing administration and maintenance; authorize the PHA, as lead CoC agency, to include in said application, a funding request on behalf of the proposed grantee, Womenspace Unlimited South Lake Tahoe Women's Center, for a two-year grant of \$31,563 in support of a transitional housing program for survivors of domestic violence; and on behalf of the proposed grantee, Sierra Recovery Center, for a three-year grant of \$131,654 for supportive services to transitional housing participants;
2. Approve a required cash match in the amount of \$3,176 from the Housing Element Implementation General Fund contribution for the El Dorado County HMIS renewal project ; and
3. Authorize the Director of Human Services, as the Executive Director of the PHA, to sign and submit the application and accompanying documents, including the Applicant Certification, the Application for Federal Assistance Declaration, Certification of Consistency with the Consolidated Plan and the Applicant/Recipient Disclosure Report; and, if the application is funded, to execute, contingent upon approval by County Counsel and Risk Management, the HMIS grant agreement and any amendments thereto that do not affect the dollar amount or the term and all other documents required by HUD for participation in the CoC Homeless Assistance Programs, and to take other actions necessary to facilitate same.

FUNDING: Federal funds.

24. [08-1392](#)

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 \$77,539.50 each for a term to expire June 30, 2009 to identify responsibilities and establish areas of cooperative effort for all parties regarding erosion and sediment control and watershed management. (Cont'd 9/16/08, Item 38)

FUNDING: General Fund.

25. [08-1460](#) Chief Administrative Office, on behalf of the Fallen Leaf Lake Community Services District, recommending adoption of Resolution **261-2008** to ratify the 2007 California Fire Code as adopted by the Fallen Leaf Lake Community Services District.
26. [08-1441](#) Chief Administrative Office recommending Chairman be authorized to sign a Joint Declaration with the Administrative Office of the Courts (AOC) to extend the deadline for transferring Court facilities for 90 days to December 31, 2008; and review draft agreements associated with the Court Facility Transfer.

FUNDING: General Fund

27. [08-1347](#) Adoption of Ordinance **4785** providing for annual contributions towards Missouri Flat Roadway Improvements. (Introduced 9/16/08, Item 36)
28. [08-1406](#) Adoption of Ordinance **4787** levying a Special Tax within Community Facilities District No. 2002-01 (Missouri Flat Area). (Introduced 9/16/08, Item 37)
29. [08-1301](#) Chief Administrative Office recommending the Board consider the following pertaining to the Charter Review Committee:
(1) Determine the structure of said Committee;
(2) Establish a budget for same; and if necessary,
(3) Select a date for appointment of committee members and alternates.
30. [08-0832](#) Development Services Department advising the Board of the status of the Integrated Natural Resources Management Plan program. (Referred 7/22/08, Item 51)
31. [08-1466](#) Supervisor Dupray recommending staff be directed to evaluate and add new traffic impact fee category for age-restricted development within the Highway 50 and local fee components of Zone 8 of the County's RIF/TIM road fee program.
32. [08-1409](#) Development Services Department staff providing options pertaining to the extension of building permits as directed by the Board on September 16, 2008. (Refer 9/16/08, Item 39)

10:00 A.M. - TIME ALLOCATION

33. [08-0642](#) Chief Administrative Office recommending the Board receive a status report from the Permit Process Ad Hoc Committee. (Cont'd 9/23/08, Item 33)

2:00 P.M. - TIME ALLOCATION

34. [08-1364](#) Hearing to consider amending the County Zoning Ordinance incorporating a section pertaining to Lot Line Adjustments.

35. [08-1369](#) Hearing to consider incorporating the draft Flood Damage Prevention Ordinance into Chapter 17.25 of the County Zoning Ordinance.
36. [08-1391](#) Hearing to consider the following pertaining to 35.19 acres in the El Dorado Hills area; Applicant: Steve and Tina Farren:
- (1) Rezone (Z07-0032) APN 126-100-11 from Estate Residential Five-acre (RE-5) to Estate Residential Five-Acre-Planned Development (RE-5/PD) zone;
- (2) Planned Development (PD07-0019) and Tentative Subdivision Map (TM07-1447) to create 12 single family lots ranging in size from 1.0 to 7.2 acres and one open space lot totaling 15.4 acres with design waivers to allow Lot 4 to exceed a 3:1 depth to width ratio, two 12-foot paved lanes with unpaved shoulders for road and cul-de-sac (Court A), and reduction of the right of way width requirement to 50 feet in place of the required 60 foot right of way;
- (3) Special Use Permit (S08-0014) to allow the construction of a private entry gate within an existing County right of way; and
- (4) Ordinance **4788** for said rezone.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

37. [08-1290](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: U.S.A. V. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520 MCE GGH (ED CA).
38. [08-1385](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Chief Administrative Officer
39. [08-1467](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Director of Mental Health
40. [08-1429](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Director of Facilities and Fleet Services.
41. [08-1453](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation: Title: URS
42. [08-1457](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Coalition including El Dorado County Employees Association Local No. 1, General, Professional, Supervisory Bargaining Units; Operating Engineers Local No. 3 Trades & Crafts Bargaining Unit; El Dorado County Managers' Association, (MA) Bargaining Unit; and El Dorado County Criminal Attorney Association (CA) Bargaining Unit.

ADDENDUM**DEPARTMENT MATTERS**

43. [08-1469](#) County Counsel recommending Chairman be authorized to sign Memorandum of Agreement with Roger Trout for services as Director of Development Services.

CLOSED SESSION

44. [08-1430](#) Pursuant to Government Code Section 54957: **Public Employee Appointment:**
Title: Clerk of the Board of Supervisors.

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

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

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

West Slope - Comcast - Channel 2, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)
South Lake Tahoe - Charter Cable 21, Daily - Time varies