



County of El Dorado

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MEETING AGENDA

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, April 21, 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

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.

PRESENTATION

1. [08-0657](#) Presentation by Valerie Zentner, Executive Director of the El Dorado County Farm Bureau, providing information on "Farm Day in El Dorado County."

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

2. [09-0498](#) Approval of Board of Supervisors Conformed Agendas (Minutes) for the Special Meeting of Monday, April 6, 2009 and the Regular Meeting of Tuesday, April 7, 2009.
3. [09-0475](#) Auditor-Controller recommending the Board receive and file the following audit reports for El Dorado County for the year ended June 30, 2008: (1) Annual Financial Report; (2) Single Audit (OMB A-133); (3) Appropriations Limit Calculation; and (4) Spousal Abuser Prosecution Program; and recommending the Chief Administrative Officer be directed to monitor the corrective action to the audit findings in the Single Audit to insure their implementation.
4. [09-0486](#) Chief Administrative Office recommending the Board authorize the Chairman to sign Amendment I to Agreements 467-F0911 and 468-F0911 with El Dorado County Chamber of Commerce for promotions services through the Visitors Authority Council and Film Commission, respectively. These amendments clarify Article III Compensation for Services.

5. [09-0340](#) Environmental Management Department recommending the Board authorize the Chairman to sign letters requesting support from the City of Placerville, El Dorado Hills Community Services District, Cameron Park Community Services District, and the South Lake Tahoe Basin Waste Management Authority concerning countywide Solid Waste Management Planning.
6. [09-0365](#) General Services Department recommending Chairman be authorized to sign Facility Use Agreement 350-O0910 with Garden Valley Fire Protection District in the amount of \$150 per month for the purpose of providing office space located at the Garden Valley Station, Station 31, 4860 Marshall Road in Garden Valley for the on duty El Dorado County Sheriff's Deputy.

FUNDING: General Fund.

7. [09-0434](#) Health Services Department recommending Chairman be authorized to sign Agreement 799-PHD1008 with Koefran Industries and Sacramento Rendering Company in the amount of \$90,000 for a term through June 30, 2012 to remove and dispose of all small animal carcasses collected by the East Slope and West Slope Animal Services facilities, remove and dispose of sharps containers and bagged medical waste; and dispose of all large animal carcasses delivered to Contractor's location.

FUNDING: County General Fund.

8. [09-0407](#) Health Services Department recommending Sharon Elliott, Acting Assistant Director of Public Health, be appointed to serve as the representative for the Health Services Department on the First 5 El Dorado Children and Families Commission.

9. [09-0430](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment 11 to Agreement CC2007-10 (803-S0611) with the County of Alpine establishing the total compensation amount at \$60,000 for fiscal years 2007-2008 and 2008-2009 for a term through August 9, 2009 for Hospital Preparedness program (HPP) Coordinator services provided by El Dorado County.

FUNDING: Alpine County / State Hospital Preparedness Plan Funding.

10. [09-0439](#) Human Services Department recommending the Board approve a boilerplate Agreement with the American Association of Retired Persons (AARP) Foundation Host Agency to allow placement of the AARP's Senior Community Services Employment Program (SCSEP) participants into work experience opportunities within the Human Services Department; and recommending the Director or Assistant Director of said Department, or any Department Program Manager II be authorized to sign the Host Agency Agreement for each individual SCSEP participant.

FUNDING: AARP Foundation -100% Federal Funding.

11. [09-0289](#) Probation Department recommending the Board approve the application to the State of California for continued funding of the Community Alliance to Reduce Truancy (CART) program through the Juvenile Justice Crime Prevention Act (JJCPA).

FUNDING: Community Alliance to Reduce Truancy (CART).

12. [09-0353](#) Transportation Department recommending the Board adopt a Resolution of Intention to Vacate portions of the roadways known as Dodson Road and Heffren Drive, within the Sun Ridge Meadow subdivision and identified as APN's 087-330-01, 087-330-51, 087-340-21; and, set a public hearing on **Tuesday, May 19, 2009 at 9:00 a.m.** for consideration of the proposed Resolution of Vacation.

Resolution 074-2009

13. [09-0299](#) Transportation Department recommending the Board adopt a Resolution to amend Resolution 250-81, and establishing Washoan Boulevard (No. 2426) as a through highway.

Resolution 075-2009

FUNDING: Road Fund.

14. [09-0295](#) Transportation Department recommending the Board adopt a Resolution amending Resolution 247-81 and sanctioning new and revised speed restrictions on County roads in the Lake Tahoe area.

Resolution 076-2009

FUNDING: Road Fund.

15. [08-1853](#) Transportation Department recommending the Board authorize the Chairman to sign the Notice of Acceptance with Nehemiah Construction, Inc. for the Missouri Flat Road Overcrossing Phase 1A Project (JN 71317) at the interchange of U.S. 50 and Missouri Flat Road in Placerville.

FUNDING: This Project was funded with Traffic Impact Mitigation Fees and funds from Utility Agencies. The requested Board action has no associated fiscal impact.

16. [09-0433](#) Transportation Department recommending the Board take the following actions:
- (1) Authorize the Director of said Department to execute Contract Change Order (CCO) No. 25 and CCO No. 25 Supplement 01 in the amount of \$265,185.20 for the Latrobe Road Realignment, Widening and Bridge Project, Suncastr Lane to Golden Foothill Parkway, Project 72403;
 - (2) Authorize a Contingency Budget increase in the amount of \$266,000 to \$1,191,000 for the Latrobe Road Realignment, Widening and Bridge Project, Suncastr Lane to Golden Foothill Parkway, Project 72403.

FUNDING: The provisions of the Funding, Credit, and Reimbursement Agreement between West Valley, LLC and the County of El Dorado require that the Developer of West Valley advance fund the construction of the White Rock Road Project through the prepayment of El Dorado Hills Traffic Impact Mitigation (TIM) fees. A bond was issued and a portion of the proceeds were used to prepay \$23 million in El Dorado Hills TIM fees. These prepaid fees have been held in a segregated fund and have been utilized to fund the Latrobe Road and White Rock Road improvements which include this project.

17. [09-0257](#) Transportation Department recommending the Board approve and authorize the Chairman to sign Parcel Map Improvement Agreement AGMT 08-52577 with United Property and Investment, LLC, for funding of road and drainage improvements for the Lee Parcel Map P06-0017 project.

FUNDING: Developer funds.

18. [09-0411](#) Transportation Department recommending the Board authorize the Chairman to sign Agreement CTA-08-024 and Contractor Certification for same with California Tahoe Conservancy in the amount of \$3,867 for the term December 31, 2008 through June 30, 2009 for the transfer, to the County, 25% 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.

19. [09-0414](#) Transportation Department recommending the Board authorize the Chairman to sign retroactive Amendment to License Agreement 2008 ST - No. 41 with California Tahoe Conservancy for the term December 1, 2008 through December 1, 2009 for the Sawmill 1B Bike Path Project (JN 95148) for access to a California Tahoe Conservancy-owned parcel related to the Project.

20. [08-1727](#) Transportation Department recommending the Board approve a reimbursement payment for the temporary and final relocation of the TOMRA Recycling Center for the U.S. Hwy. 50/Missouri Flat Road Interchange Improvements Project 71336, Phase 1B.
- FUNDING:** Traffic Impact Mitigation (TIM) Fees, State Transportation Improvement Program (STIP) funds, State Highway Operation and Protection Program (SHOPP) funds and Missouri Flat Master Circulation and Funding Plan (MC & FP) funds.
21. [09-0371](#) Transportation Department recommending the Board certify the California Environmental Quality Act (CEQA) Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program related to the Latrobe Road Realignment Project.
- Fiscal Impact: Approval of this Mitigated Negative Declaration will not result in any fiscal impact. The project is funded by the High Risk Rural Road (HRRR) federal grant program and the Regional Surface Transportation Program (RSTP).
22. [09-0487](#) Supervisor Knight recommending Hal Erpenbeck be appointed to serve as the alternate member on the Charter Review Committee representing District 1.
23. [09-0493](#) Supervisor Nutting recommending the Board approve the appointment of Norman Smith to serve as a member on the Aging Commission as a representative for District 2.
24. [09-0494](#) Supervisor Nutting requesting the Board approve a partial waiver of building permit and environmental fees on behalf of the "Bring Michael Misch Home Project."
- FUNDING:** Net County Cost: Approximately \$829.
25. [08-0172](#) Supervisor Briggs recommending Proclamation proclaiming Tuesday, April 28, 2009 as "El Dorado County Friends of the NRA Gun Safety Day."
26. [08-0504](#) Supervisor Briggs recommending Proclamation in recognition of Safety Seat Checkup Week April 19-25, 2009.
27. [09-0503](#) Supervisor Santiago on Behalf of the El Dorado County Youth Commission requesting adoption of Resolution Supporting Smoke Free Movies and a Change to Ratings of Movies Where Smoking is Promoted; and requesting the Chairman be authorized to sign a letter in support of the goals of the Tobacco and Hollywood campaign.
- Resolution 077-2009**

END CONSENT CALENDAR

NOTICED HEARINGS

28. [09-0451](#) Hearing to consider adoption of a Resolution pertaining to the following items:
- 1) Acknowledge the El Dorado County Public Housing Authority as a high performing agency exempt from the requirement to submit an annual Agency Plan update;
 - 2) Approve a required annual amendment to the Public Housing Authority Administrative Plan for the Section 8 Housing Choice Voucher Program for submittal to the Department of Housing and Urban Development ;
 - 3) Authorize the Chairman to sign the Public Housing Authority Civil Rights Certification; and
 - 4) Recognize the contribution of the Public Housing Authority Participant Advisory Board in assisting with development of the Administrative Plan and amendments.

Resolution 084-2009

29. [09-0456](#) Hearing to consider adoption of Resolution accepting the accomplishments of the 2006-2007 Community Development Block Grant Planning and Technical Assistance General Allocation Grant 06-STBG-2532; adopting the updated 2009 El Dorado County Continuum of Care Strategic Plan to end Homelessness, including the 2008 Homeless Count and Survey Results; and authorizing the submittal of same to the California State Department of Housing and Community Development to close out the Grant; and presentation of the 2008 El Dorado County Homeless Count and Survey Results by the consultant firm HomeBase, The Center for Common Concerns.

Resolution 078-2009

FUNDING: State Community Development Block Grant.

30. [09-0429](#) Hearing to consider recommendation of the Auditor-Controller to disburse excess proceeds in the amount of \$18,151.49 to United Pacific Assets LLC for John Snyder and \$18,151.49 to United Pacific Assets LLC for S. Pevahouse from the sale of tax defaulted property (APN 037-361-05-100) on November 2, 2007.

DEPARTMENT MATTERS

31. [09-0471](#) Transportation Department recommending adoption of a Resolution establishing a Road Easement and Public Utility Easements on County-owned property, in the Perks Court area, which includes authorization to record the Resolution concurrently with the Record of Survey, for the project.

Resolution 079-2009

32. [09-0470](#) Transportation Department recommending the Board approve and authorize the Chairman to sign the Grant Easement from the County to AT&T for an exclusive easement for the relocation of utilities.
33. [09-0190](#) Transportation Department recommending the Board authorize the Chairman to sign the Utility Agreement AGMT 08-52583 and Joint Use Agreement No. 2462.3L with AT&T California in a not to exceed amount of \$140,084.96 for the relocation of existing telephone facilities for the US Highway 50 /Missouri Flat Road Interchange Improvements - Phase 1B Project 71336.

FUNDING: Missouri Flat Master Circulation and Funding Plan (MC&FP).

34. [09-0476](#) Auditor-Controller recommending the Board retain Bartig, Basler and Ray, LLP, a Galina LLP Company, of Roseville to conduct the County's independent audit for the fiscal year ending June 30, 2009; and authorize the Chairman to sign Amendment V to Agreement for Services 044-S0511 with Bartig, Basler and Ray, LLP, after it has been reviewed by County Counsel and Risk Management.

FUNDING: The cost of the audit services will be included in the FY 2009/2010 budget appropriations.

35. [09-0222](#) Chief Administrative Office recommending the Board take the following actions:
- (1) Receive an update regarding the reorganization and transfer of General Services core functions in relation to the Department of Transportation;
 - (2) Adopt an amended Personnel Resolution adding personnel allocations to the Department of Transportation of which current General Services employees being RIF'ed will have rights to;
 - (3) Adopt an amended Personnel Resolution adding personnel allocations to the Department of Transportation necessary for the successful reorganization of certain core functions previously performed by General Services; and
 - (4) Approve a new Department of Transportation organization structure and direct the Department to work with Human Resources and return with new job specifications related to the newly created job classifications of Fleet Manager, Sr. Fleet Services Technician, Services Operation Coordinator, Buildings and Grounds Superintendent, Real Property Agent and a Facilities Supervisor.

Resolutions 080-2009, 081-2009, and 082-2009

FUNDING: General Fund, Accumulative Capital Outlay Fund, Road Fund.

36. [09-0497](#) Supervisor Knight recommending a Certificate of Recognition for Eric Michael Hadden, Troop 645, Boy Scouts of America, acknowledging his hard work and community commitment needed to complete the requirements for the rank of Eagle Scout.
37. [09-0463](#) Supervisor Sweeney recommending designation of a Board subcommittee for the purpose of formal continued relations with the Shingle Springs Band of Miwok Indians pursuant to the September 2006 Memorandum of Understanding and Intergovernmental Agreement.
38. [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.
39. [09-0504](#) Supervisor Nutting recommending the Board consider reducing the permit and environmental fees for Beverley Hebert, a senior citizen on a limited income.

Fiscal Impact/Change to Net County Cost: Uncertain at this time.

40. [09-0428](#) Supervisor Nutting updating the Board on the Camino Division of Sierra Pacific Industries. (Refer 3/31/09, Item 19)
41. [09-0507](#) Supervisor Nutting requesting the Board reconsider its' March 24, 2009 approval of the operating cost for each Supervisorial District budget in the amount of \$201,000 (Agenda File 09-0152); and requesting the Board schedule this item to be heard again with new information presented.
42. [09-0152](#) Clerk of the Board of Supervisors requesting the Board consider the following recommendation regarding the Board of Supervisors budgets for Fiscal Year 2009/2010, as follows:
- Approve the Fiscal Year 2009/2010 travel expenses for District V which only include travel between the South Lake Tahoe and Placerville offices. (Cont'd 3-31-09, Item 21)

2:00 P.M. - TIME ALLOCATION

43. [09-0408](#) Hearing to consider the recommendation of the Planning Commission on General Plan Amendment A07-0004R/Housing Element:
- (1) Certify the project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines;
 - (2) Direct staff to use “will” in regards to ...” *revise fees, as necessary, for impacts on the cost and supply of residential development, including revising the proportion of traffic improvements paid by residential versus commercial and ensure TIM fees do not constrain development of a variety of housing types*” ...for Implementation Measure HO-31;
 - (3) Approve A07-0004R revising the Housing Element as proposed, including direction from item 2 above, to address changes necessary for certification of the Element by the State Department of Housing and Community Development; and
 - (4) Adopt Resolution approving the amendment to the 2008-2013 Housing Element to the General Plan.

Resolution 083-2009

44. [09-0156](#) Hearing to consider Planning Commission's recommendation that the Board take the following actions on General Plan Amendment A08-0001/Ordinance OR08-0001/Mixed Use Development:
- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
 - (2) Conceptually approve a Resolution amending General Plan (A08-0001) 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, and continue to the March 31, 2009 meeting for final adoption of Resolution for General Plan window; and
 - (3) Approve OR08-0001 amending Zoning Ordinance Chapter 17.32 as shown in Attachments 3, 4 and 5 and adding section 17.14.220 as shown in Attachment 6, based on the findings contained in Attachment 1. (Cont'd 3/3/09, Item 24)

45. [09-0458](#) Development Services Department requesting the Board's consideration of a request submitted by Clayton and Ed Stetson appealing the denial by the Agriculture Commission of a request for administrative relief from the agricultural setbacks on APN 041-950-10.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

46. [09-0388](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Interim Director of Human Resources.
Employee Organization: EDC Employees Association Local No. 1, General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; Law Enforcement Unit Deputy Sheriff Association; El Dorado County Law Enforcement Unit Sworn Management Association.
47. [09-0465](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Central Valley Regional Water Quality Control Board - Draft Clean Up and Abatement Order, Rubicon Trail.
48. [09-0466](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant Exposure to litigation. One (1) potential case. Title: Central Valley Regional Water Quality Control Board - Draft Clean Up and Abatement Order, Rubicon Trail.
49. [09-0467](#) Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation:**
Initiation of Litigation. One (1) potential case. Title: Central Valley Regional Water Quality Control Board - Draft Clean Up and Abatement Order, Rubicon Trail.
50. [09-0480](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Claim of Michael Paustian v. County of El Dorado, Worker's Compensation Claim Settlement, Bragg & Associates, Inc. Claim #2008073115.

ADDENDUM

CLOSED SESSION

51. [09-0523](#)

Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation**: Significant exposure to litigation. One (1) potential case.

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

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

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

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

ANNOUNCEMENTS

Tuesday, April 28, 2009, 9:00 a.m. ~ Charter Review Meeting No. 3, Initial Public Workshop

Monday, May 4, 2009, 9:00 a.m. ~ General Plan/Economic Development/Agricultural Issues

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

**Monday, May 18, 2009, 9:00 a.m. ~ General Plan/5 Year Review and Update/
(Health Services Department Update - continued to Budget Workshops in June)**

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

Monday, June 8, 2009 through Thursday, June 18, 2009, 9:00 a.m. - Budget Workshops