



County of El Dorado

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Minutes - Final 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, January 11, 2011

8:00 AM

Board of Supervisors Meeting Room

Amended action on Item #12 on 2/2/11 to make typographical corrections.

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. - ANNOUNCED MEETING TO BEGIN AT 9:00 A.M.

Clerk of the Board announced there would be no closed session and that the meeting would begin at 9:00 A.M.

Present: 4 - Supervisor Knight, Supervisor Nutting, Supervisor Briggs and Supervisor Sweeney

Absent: 1 - Supervisor Santiago

9:02 A.M. - CALLED TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Invocation was given by Reverend Robin Davidson, Mountainside Center for Spiritual Living.

Supervisor Brigg lead the Pledge of Allegiance.

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to adopt the Agenda and approve the Consent Calendar.

Yes: 4 - Knight, Nutting, Briggs and Sweeney

Absent: 1 - Santiago

1. [11-0034](#) Supervisor Nutting recommending the Board adopt a Proclamation acknowledging January 30, 2010 through April 4, 2010 as a "Season for Nonviolence" in the County of El Dorado. (Est. Time: 5 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt the proclamation.

Yes: 4 - Knight, Nutting, Briggs and Sweeney

Absent: 1 - Santiago

OPEN FORUM

PUBLIC COMMENT

L. Roth RE: Child Support Video

E. White: RE: Caltrans realignment of Highway 49

L. Brent-Bomb RE: Hangtown Hold'em scheduled for January 29, 2011 at the Fair Grounds

BUDGET UPDATE

L. Schwartz presented a summary of the Governor's budget reductions.

11-0055

BUDGET UPDATE

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to direct staff to bring back a more detailed report with the effects it could have on the County.

Yes: 4 - Knight, Nutting, Briggs and Sweeney

Absent: 1 - Santiago

CONSENT CALENDAR

2. **11-0029** Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes of the Regular Meeting of Tuesday, January 4, 2011.
This matter was Approved on the consent calendar.

3. **10-1337** Auditor-Controller recommending the Board adopt a resolution establishing the transfer of \$7,183.74 in unclaimed property tax refunds in accordance with Revenue and Taxation Code Section 5102 and \$19,954.89 in stale-dated property tax refunds in accordance with Government Code Section 29802 to the County general fund.
Resolution 006-2011
Adopted Resolution 006-2011 upon approval of the consent calendar.

4. **10-1330** Chief Administrative Office, Procurement and Contracts Division, presenting a list of property surplus to the needs of the County and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.
This matter was Approved on the consent calendar.

5. [09-0882](#) Chief Administrative Office, Office of Economic Development (OED) recommending the Board approve and authorize the Chair to sign Contract Modification No. 1 to Contract K178658-031 with Golden Sierra Workforce Investment Board (GSIB) for the second and final year of the Vital Assets grant.
- FUNDING:** Grant Funding.
- This matter was Approved on the consent calendar.**
6. [10-0886](#) County Counsel recommending the Board continue to Tuesday, January 25, 2011 the update on a proposal method to reduce the account balance in regard to the future levy of special district taxes in Community Facilities District No. 1992-1, and consider adoption. (Cont'd 12/14/10, Item 35)
- This matter was continued to January 25, 2011 upon approval of the consent calendar.**
7. [10-1309](#) Department of Human Services recommending the Board approve and authorize the Purchasing Agent to execute an Agreement for Services 267-S1111 with Devereux Cleo Wallace, a group home, for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis, effective retroactive to August 1, 2010, due to an emergency placement of a child at this facility, and shall continue until terminated with a maximum annual compensation of \$125,000.
- FUNDING:** Federal and State Social Services Allocation with required County Share of Cost met primarily with realignment resources.
- This matter was Approved on the consent calendar.**
8. [10-1295](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment 1 to Agreement for Services 449-S1010 with Tahoe Turning Point, Inc., increasing the compensation by \$135,000 to a not-to-exceed amount of \$175,000 based on the projected need for services through the end of the three-year contract term of May 28, 2010 through May 27, 2013 to continue to provide therapeutic counseling and substance abuse testing services, classes and other related services for clients of the Department on an "as requested" basis.
- FUNDING:** 85% Federal/State Social Services Allocation with 15% County match met primarily with realignment resources.
- This matter was Approved on the consent calendar.**

9. [11-0023](#) Human Resources Department recommending the Board authorize the Chair to sign a Budget Transfer increasing revenues and appropriations in the amount of \$869,282.00 to fund the County's Early Retirement Incentive Health Plan through International City Management Association Retirement Corporation (ICMA-RC) called Vantagecare.

This matter was Approved on the consent calendar.

10. [10-0299](#) Department of Transportation recommending the following pertaining to the Green Valley Road at Tennessee Creek - Bridge Replacement Project (Contract No. PW 09-30407, CIP No. 77109):
- 1) Adopt and approve the plans and contract documents and authorize the Board Chair to sign the plans;
 - 2) Adopt the finding that the Naztec, Inc. traffic signal controller is designated in the contract bid documents as brand-specific in order to match other products in use on a particular public improvement either completed or in the course of completion;
 - 3) Adopt the finding that the Tesco Controls, Inc. Battery Backup and Service Cabinet is designated in the contract documents as brand-specific in order to obtain the necessary item that is only available from Tesco Controls, Inc.;
 - 4) Adopt the Resolution authorizing the Director of Transportation to determine the precise dates of and order temporary road closures and detours to accommodate construction staging; and
 - 5) Authorize advertisement for construction bids.

FUNDING: Highway Bridge Program grant funds, Highway Safety Improvement Program grant funds, Transportation and Community and System Preservation Program funds, El Dorado Irrigation District funds, 2004 General Plan Traffic Impact Mitigation Fees and Regional Surface Transportation Program funds.

Resolution 001-2011

Adopted Resolution 001-2011 upon approval of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

- 11. [10-1283](#) Sheriff's Department recommending the Board adopt a resolution amending the authorized personnel allocation for the Sheriff's Department to add 1.0 FTE Undersheriff Class 0271 effective the pay period beginning January 29, 2011. (Est. Time: 15 Min.)

FUNDING: Sheriff's Budget.

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

1) Adopt Resolution 07-2011 as amended:

- a) effective date is January 15, 2011; and
- b) eliminate the following unfunded positions:

- i) Sheriff's Captain
- ii) Sheriff's Lieutenant

2) Direct Sheriff to return in late March or early April with a departmental budget update.

Yes: 3 - Nutting, Briggs and Sweeney

Noes: 1 - Knight

Absent: 1 - Santiago

2:00 P.M. - TIME ALLOCATION

Present: 4 - Supervisor Nutting, Supervisor Briggs, Supervisor Santiago and Supervisor Sweeney

Absent: 1 - Supervisor Knight

12. [10-1101](#)

Hearing to consider the Planning Commission's recommendation that the Board take the following action on the Land Development Manual and Standard Plans:

- 1) Adopt the Negative Declaration prepared by staff;
- 2) Adopt the Land Development Manual and Standard Plans based on the Findings listed in Attachment 1;
- 3) Amend Section 2.4.2.1.B.9 by deleting the "Exception," as identified in the CalFire e-mail dated November 16, 2010;
- 4) Direct staff to return to the Planning Commission six months from the Board's adoption date to review any changes or modifications, with the Commission's suggested inclusion of a matrix from Economic Development Advisory Committee identifying the source documents; and
- 5) Adopt Resolution for the Land Development Manual and Standard Plans. (Refer 10/18/10) (Est. Time 2 Hrs.)

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

- 1) Agree to the following changes made to the Land Development Manual:
 - a) Page 10-1101.E.22 - Delete Section 2.4.1.A.4 - Reversed Corner Lot;
 - b) Page 10-1101.E.23 - Amend Section 2.4.1.B.2 - Area Requirement for Lots - Insert: "at least" after "shall have";
 - c) Page 10-1101.E.24 - Amend Section 2.4.1.B.3- Frontage (Lot Widths) - Add: "Lot frontage may be reduced in a planned development.";
 - d) Page 10-1101.E.24 - Amend Section 2.4.1.B.3 [Exception] Delete: "may have no frontage on roads that meet", Add: "are not required to front on a road that meets";
 - e) Page 10-1101.E.24 - Amend Section 2.4.1.B.5 Flag shaped lots are prohibited on mass pad graded lots and otherwise discouraged - Delete: "lots", Add: "projects";
 - f) Page 10-1101.E.24 - Delete Section 2.4.1.B.6 - Double Frontage Lots;
 - g) Page 10-1101.E.25 - Amend Section 2.4.1.B.9 - Special Districts - Delete: all wording, Add: "No new lot may be created where portions of the lot are in different districts.";
 - h) Page 10-1101.E.25 Amend Section 2.4.1.B.10 - Lot Lines - Delete "drawn", Add "designed";
 - i) Page 10-1101.E.28 Section 2.4.1.G.2.a - Lot Frontage - Note to bring this section back for further discussion;
 - j) Page 10-1101.E.29 Amend Section 2.4.1.G.2.b.iii - Flag Shaped Lots in Hillside Development - Delete: 2.4.1.B.4, Add: 2.4.1.B.3;
 - k) Page 10-1101.E.113 Amend Section 6.2.4.1.H - Boundaries - Delete: all wording, Add: "Boundary lines of any county, city or state that directly adjoin or intersect the subdivision shall be clearly designated.";
 - l) Page 10-1101.E.114 Amend Section 6.3.1 - Lot Line Adjustments - Add: (see section 16.53. LOT LINE ADJUSTMENTS); and
 - m) Page 10-1101.E.114 Amend Section 6.3.1.1 - Form and Contents - Delete: "as", Add: "when"; and
- 2) Continue this matter to Monday, February 14, 2011.

Yes: 4 - Nutting, Briggs, Santiago and Sweeney

Absent: 1 - Knight

13. [10-1327](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z07-0040/Tentative Map TM07-1454/Special Use Permit S09-0012/Sundance Subdivision on property identified by APNs 104-520-04, 104-520-05, and 104-520-06, consisting of 298.19 acres, in the Pilot Hill area, submitted by Christopher A. Beauchamp; and recommending the Board take the following action:
- 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), as incorporated in the Conditions of Approval and mitigation measures listed in Attachment 1;
 - 3) Approve Z07-0040 rezoning APNs 104-520-04, 104-520-05, and 104-520-06 from Exclusive Agricultural (AE) to Estate Residential (RE-10) based on the Findings listed in Attachment 1;
 - 4) Conditionally approve Tentative Map TM07-1454 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - 5) Approve Special Use Permit S09-0012 based on the Findings listed in Attachment 1 and based on the movement of the location of the gate as identified;
 - 6) Approve the following design waiver requests since the appropriate Findings have been made:
 - (a) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
 - (b) Permit a reduction in the shoulder width for proposed Road B from 10 feet to two feet as required in the Design and Improvement Standards Manual; and
 - 7) Adopt Ordinance for said rezone. (Supervisory District IV)

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to continue this matter to April 5, 2011.

Yes: 4 - Nutting, Briggs, Santiago and Sweeney

Absent: 1 - Knight

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

CLOSED SESSION

14. 10-1128 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Serrano Claim for CFD Tax Refund. Number of potential cases: (1). (Cont'd 12/14/10, Item 42) (Est. Time: 15 Min.)
- No Action Reported.**

ADJOURNED AT 5:05 P.M.