



County of El Dorado

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Minutes - Final Board of Supervisors

James R. Sweeney, Chairman, District III
Helen K. Baumann, Vice Chairman, District II
Rusty Dupray, District I
Charlie Paine, District IV
Norma Santiago, District V

Cindy Keck, Clerk of the Board of Supervisors
Laura S. Gill, Chief Administrative Officer *Louis B. Green,*
County Counsel

Tuesday, March 7, 2006

8:00 AM

Board of Supervisors Meeting Room

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.

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

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE

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. To ensure timely delivery, written information from the public must be received by the Board Clerk by Monday prior to the meeting. The Board Clerk cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

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

Present: 2 - Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Paine

9:00 A.M. - 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.

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 24, 34, 35 and 36 added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

PRESENTATION

1. [06-0140](#) **PRESENTATION** proclaiming Tuesday, March 14, 2006 as "Friends of National Rifle Association (NRA) Gun Safety Day" in El Dorado County.

A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray, that this matter be Adopted. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

OPEN FORUM**CONSENT CALENDAR**

2. **06-0385** Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, February 28, 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

3. **06-0376** Releases of lien(s) (on file with the Clerk).

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

4. **06-0393** Human Services Department, Community Services Division, recommending Board approval of the following amendments to program guidelines for existing grant-funded Housing Assistance Programs to ensure compliance with California Department of Housing and Community Development (HCD) requirements:
- (1) HOME Owner Occupied Housing Rehabilitation Loan Program (Contract 04-HOME-0720);
 - (2) Community Development Block Grant (CDBG) Housing Rehabilitation Loan Program (Contract: 05-STBG-1407); and
 - (3) Community Development Block Grant (CDBG) Housing Acquisition Loan Program (Contract: 05-STBG-1407).

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

5. **06-0392** Human Services Department, Community Services Division, recommending Resolution authorizing the Chairman to sign Amendment 03 to Agreement 05B-5312 with the California Department of Community Services and Development to allow for the full expenditure of 2005 weatherization funds through March 31, 2006 to provide Low-Income Home Energy Assistance Program (LIHEAP) to eligible residents of El Dorado and Alpine Counties; and authorizing the Director of said Department to execute all documents relating to said contract, and required fiscal and programmatic reports, and perform any and all responsibilities in relationship to said contract.

RECOMMENDED ACTION: Adopt Resolution **067-2006**.

FUNDING: Federal Grant Funds.

This matter was approved on the Consent Calendar.

6. **06-0396** Development Services Department recommending the Auditor-Controller reimburse two County Operations Supervisors in Field Inspection and Code Enforcement for expenses incurred (\$90 each) during their deployment to Louisiana following the Katrina disaster as part of the Federal Emergency Management Agency (FEMA) Safety Assessment Program.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund to be reimbursed by FEMA.

This matter was approved on the Consent Calendar.

7. **06-0391** Transportation Department recommending Chairman be authorized to sign Agreement AGMT 05-936 with T.Y. Lin International in an amount not to exceed \$2,000,000 for a two year term to provide "as-needed" Project Planning and Design services associated with the Bass Lake Road/US Highway 50 Interchange Project, noting the requested action is consistent with the direction approved by the Board at its November 8, 2005 meeting (Item 52); this project is included in DOT's Capital Improvement Program; work includes the preparation of the project reports, environmental documents, plan specifications and construction schedules/cost estimates; the amount of funds spent on these services may be reduced to the extent that the department is able to fill vacancies.

RECOMMENDED ACTION: Approve.

FUNDING: Capital Improvement Program (CIP) Project-Road/Traffic Impact Fees.

This matter was approved on the Consent Calendar.

8. **06-0383** Transportation Department recommending Resolution abandoning two five-foot wide public utility easements located along the side boundary lines of APN 108-530-23-100, Cambridge Oaks Unit No. 3, Lot 23, requested by Aleksandr Shilo to accommodate planned construction of improvements on subject lot.

RECOMMENDED ACTION: Adopt Resolution **064-2006**

This matter was approved on the Consent Calendar.

9. **06-0384** Transportation Department recommending Purchasing Agent be authorized to make a sole source purchase of a Longview emissions control device; and authorize Chairman to sign Agreement AGMT 05-979 with Cummins West, Inc. in an amount not to exceed \$213,561.75 for a one-year term for said product and installation costs for the diesel fleet retrofit project.

RECOMMENDED ACTION: Approve.

FUNDING: AB 2766 Funds, Road Fund, Funding Agreement No. 013-DMV-05/06-11.

This matter was approved on the Consent Calendar.

- 10. 06-0388** Probation Department recommending Chairman be authorized to sign Agreement 565-S0611 with Redwood Toxicology Laboratory, Inc. in an amount not to exceed \$29,000 for a term March 9, 2006 through March 8, 2007 to provide drug screen testing for juvenile and adult offenders on an "as-requested" basis for Probation and the Sheriff's Office.
RECOMMENDED ACTION: Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.**
- 11. 06-0382** Sheriff's Department recommending Chairman be authorized to sign Amendment 01 to Agreement 446-S0510 with Paul Funk, dba Pro Line Cleaning Service increasing compensation amount by \$5,700 to \$11,400 and extending the period from January 27, 2005 through January 26, 2007 to provide janitorial services for said Department's Detective Division located in Diamond Springs.
RECOMMENDED ACTION: Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.**
- 12. 06-0390** Auditor-Controller requesting authorization to remove fixed assets listed on Schedules A and B from the County's fixed asset records.
RECOMMENDED ACTION: Approve.
- This matter was approved on the Consent Calendar.**
- 13. 06-0386** Recorder-Clerk/Registrar of Voters recommending Chairman be authorized to sign Budget Transfer 26076 increasing Estimated Revenue by \$18,799 from grant funding to be received from the "Help America Vote Act (HAVA) Elections Assistance for Individuals with Disabilities (EAID) Section 261 Program".
RECOMMENDED ACTION: Approve.
- FUNDING:** Secretary of State to reimburse funds.
- This matter was approved on the Consent Calendar.**
- 14. 06-0387** Chief Administrative Office, Procurement and Contracts Division, submitting a list of property surplus to the needs of the County and recommending Board so declare and authorize the disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.
RECOMMENDED ACTION: Approve.
- This matter was approved on the Consent Calendar.**

15. **06-0389** Chief Administrative Office recommending Resolution accepting the proposed exchange of property tax increments for the Forni Road Right-of-Way Reorganization and annexation to the El Dorado County Fire Protection District and the City of Placerville, Local Agency Formation Commission Project No. 05-11
RECOMMENDED ACTION: Adopt Resolution **065-2006**.
This matter was approved on the Consent Calendar.
16. **06-0395** Chief Administrative Office recommending Resolution accepting the proposed exchange of property tax increments for the Briggs Reorganization and annexation to the El Dorado County Fire Protection District and the City of Placerville and detachment from County Service Area 09, CSA 09 Motherlode Recreation Zone and El Dorado County Fire Protection District's Placerville Zone of Benefit, Local Agency Formation Commission Project No. 05-13
RECOMMENDED ACTION: Adopt Resolution **068-2006**.
This matter was approved on the Consent Calendar.
17. **06-0397** Chief Administrative Office, Information Technologies Division, recommending Chairman be authorized to sign Agreement 537-S0611 with Citel Technologies, Inc. in the amount of \$20,400 for a two year term to provide telephone support and hardware advanced swap services for telephone switching equipment.
RECOMMENDED ACTION: Authorize purchase order to Citel Technologies, Inc.; said amount representing a single payment to vendor according to said agreement.

FUNDING: General Fund.
This matter was approved on the Consent Calendar.
18. **06-0401** Supervisor Dupray requesting Board appointment to serve as the Member Representative on the Sacramento Area Commerce and Trade Organization.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
19. **06-0381** Supervisor Paine, on behalf of the El Dorado County Early Care and Education Planning Council, recommending Katie Pearce be reclassified from District 1, Community Agency member to the District 1, Designee member for a term to expire January 2007.
RECOMMENDED ACTION: Authorize Supervisor Paine to sign the submission letter approving said reclassification.
This matter was approved on the Consent Calendar.

21. **06-0403** Supervisor Baumann recommending the Board waive rental fees for the Pioneer Volunteer Firefighters Association for the use of the Pioneer Community Park center and kitchen on Saturday, April 15, 2006 for an Easter Egg Hunt and Pancake Breakfast.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

22. [06-0276](#) Hearing to consider adoption of Resolutions **062-2006** and **063-2006** changing the names of County Road No. 1065, Weststar Lane to Via Treviso and a portion of County Road 1062, Life Way to Morel Way in the Long View Estates Subdivision. (Resolution of Intention adopted 2/14/06, Item 17)

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Baumann to adopt Resolutions **062-2006** and **063-2006**.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

23. **06-0394** Probation Department requesting authorization to hire a Deputy Chief Probation Officer (Superintendent of the Placerville Juvenile Hall) at Step 4 of the salary range for said position; and further requesting the candidate be reimbursed in an amount not to exceed \$3,000 for actual expenses for relocation.

FUNDING: General Fund.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to approve the hiring of a Deputy Chief Probation Officer at Step 4 of the salary range; approve the reimbursement of requested relocation expenses; request a letter or agreement be executed by the applicant, prior to commencement of employment, stating the County shall be reimbursed for relocation expenses should he resign from County employment within the first year; and Chief Administrative Officer directed to return to the Board on March 28, 2006 with a policy pertaining to tools for recruitment, including reimbursement of relocation expenses.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 24. 06-0398** Supervisors Baumann and Dupray, on behalf of the Marble Valley Regional Center for the Arts (MVRCA), recommending the Board consider appropriating up to \$10,000 in County Promotion funds towards the cost for a survey to determine if a bond or an assessment district would be a feasible method to obtain funding necessary to build the Center for the Arts facility.
- This matter was added to the Consent Calendar and approved.**
- 25. 06-0404** Supervisor Sweeney recommending review of the Board of Supervisors Goals for 2005 with the recommendations for revision or modification to be provided to the Chief Administrative Officer, and the review and adoption of Goals for 2006 be set for **March 28, 2006**.
- No formal action taken.**
- 26. 06-0399** Supervisor Sweeney requesting discussion of the General Plan Objective 7.4.4: Forest and Oak Woodland Resources and related policies.
- No formal action taken.**

TIME ALLOCATION - 2:00 P.M.**Public Hearing**

27. [06-0379](#) Hearing to consider adoption of Resolution **061-2006** amending County General Plan Policy 2.2.1.5 to include a footnote to Table 2-3, Building Intensities (A06-0001), to allow Floor Area Ratios (FAR) standards to be exceeded on a project-by-project basis if the project is fully analyzed in a discretionary planned development review process and the project impacts are avoided, mitigated to the same, or to a greater extent than is analyzed in the 2004 General Plan Environmental Impact Report (EIR), or are found not to be substantially more severe than the impacts analyzed in the 2004 General Plan EIR; and amending County General Plan Policy 2.2.1.5, Table 2-3, Building Intensities, modifying and/or deleting the Maximum Impervious Surface (MIS) percentage standards.

A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to adopt Resolution 061-2006 amending General Plan Policy 2.2.1.5 to include a footnote to Table 2-3, Building Intensities; deleting the Maximum Impervious Surface percentage standards; and deleting the 0.10 Floor Area Ratio for Agricultural Lands as outlined in said Resolution.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

28. **06-0133** Hearing to consider Appeal of Special Use Permit S04-0041 allowing Nextel Communications to construct a 55-foot cellular telecommunications antenna accompanied by an equipment shelter and fenced lease area on property consisting of 1.43 acres (APN 089-110-31) in the Placerville area; Appellant: Susan Kohler (District IV) (Continued 1/24/2006, Item 50)

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve the appeal in part, upholding the action of the Planning Commission on October 13, 2005 with the change to Condition 2 that all site improvements shall conform to the site plan and evaluations, i.e., monopole with simulated bark texture and color and the deletion of Condition 4 which would have permitted future co-locations.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 29. 06-0400** Hearing to consider Specific Plan Amendment (SP04-0023) and Special Use Permit (S04-0043) to amend the Valley View Specific Plan text to modify the Multi-Use Open Space (MOS) land use category district of the Specific Plan allowing commercial and private recreation centers by special use permit; said permit for the construction of a 9,350 square foot recreation center to be located on APN 108-730-21 consisting of 2.91 acres to serve the residents of Blackstone El Dorado (formerly Valley View); Applicant: Lennar Communities, Agent: Don Barnett. (District II)

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Dupray to adopt the Tiered Mitigated Negative Declaration, based on the Initial Study, with addendum; adopt the mitigation monitoring program in accordance with California Environmental Quality Act (CEQA) Guidelines, Section 15074(d) incorporated as conditions of approval; approve the amendment to the Specific Plan Text (SP04-0023) based on the findings and subject to the mitigation measures/conditions of the Planning Commission on January 12, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 30. 06-0405** Hearing to consider the following pertaining to "Offices at Cameron Park" in the Cameron Park area; Applicant: Kevin Woodbury (District II):

(1) Adopt Ordinance **4689** to rezone (Z04-0024) properties (APNs 109-212-08, -09, -10, and -11) from Planned Commercial -Design Control (CP-DC) to Planned Commercial-Planned Development (CP-PD):

(2) Approve Development Plan (PD04-0008) for a 35,286 square foot general office and medical development on four parcels with a combined area of 3.42 acres; and

(3) Approve Tentative Parcel Map (P04-0011) reconfiguring the existing lots into 10 parcels.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt the mitigated negative declaration as prepared; adopt the Mitigation Monitoring Program in accordance with California Environmental Quality Act (CEQA) Guidelines 15074(d), as incorporated in the conditions of approval and mitigation measures; waive reading, read by title only, and adopt Ordinance No. 4689 approving the rezoning; adopt Development Plan 04-0008 as the official development plan; and approve Tentative Parcel Map P04-0011; based on findings and subject to conditions of the Planning Commission on February 9, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

31. 06-0377 Pursuant to Government Code Section 54957, **Public Employment:**
Title: Public Employee Performance Evaluation:

- (1) Director of the Library;
- (2) Director of Veterans Services; and
- (3) Director of General Services.

No action reported.

32. 06-0378 Pursuant to Government Code 54956.9(a), **Existing Litigation:**
El Dorado County v. Serrano Associates, LLC, El Dorado County
Superior Court Case No. PC20050276.

No action reported.

33. 06-0380 Pursuant to Government Code 54956.9(a), **Existing Litigation:**
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).

No action reported.

ADDENDUM

DEPARTMENT MATTERS:

34. 06-0406 Development Services Department recommending Resolution **069-2006** expressing intent to participate in the Pathway 2007 planning process to update the Tahoe Regional Planning Agency (TRPA) Regional Plan; and approve Budget Transfer 26060 transferring \$25,000 from the County General Fund Contingency to Development Services Department to cover the County's portion of consultant costs. (4/5 vote required)

FUNDING: General Fund.

This matter was added to the Consent Calendar and approved.

- 35. 06-0407** Transportation Department and Supervisor Santiago recommending Resolution **070-2006** endorsing an exemption to Section 320 of the California Public Utilities Code to AT&T for the maintenance of facilities from the Meyers Central Office to the Tamarack Central Office to maintain and enhance emergency 911 services for the citizens and visitors of the El Dorado County portion of Lake Tahoe.

This matter was added to the Consent Calendar and approved.

- 36. 06-0408** Supervisor Dupray recommending March 7, 2006 be proclaimed as California Arbor Day 2006 in recognition of the importance of trees and the region's Greenprint Initiative.

This matter was added to the Consent Calendar and approved.