



County of El Dorado

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MEETING AGENDA Board of Supervisors

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

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, September 14, 2010

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.

PRESENTATIONS

1. [10-0966](#) Supervisor Santiago recommending the Board receive a presentation by Dale Van Dam, Dean of Instruction, Folsom Lake Community College, El Dorado Center, on the Status of Higher Education for the Western Slope of the County of El Dorado. (Est. Time: 15 Min.)

2. [10-0976](#) Supervisor Santiago recommending the Board receive a presentation by Bill Roby, Executive Director of the El Dorado Community Foundation, on the Non Profit Community of El Dorado County. (Est. Time: 15 Min.)

OPEN FORUM

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

3. [10-0979](#) Supervisor Sweeney recommending the Board receive a presentation by the Smith Flat House, Center for Health, providing an overview of the facility and services with a vision of future economic development possibilities for all of El Dorado County. (Est. Time: 30 Min.)

CONSENT CALENDAR

4. [10-0981](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes for the Special Meeting of Monday, August 23, 2010 and the Regular Meeting of Tuesday, August 24, 2010.
5. [10-0935](#) Clerk of the Board recommending the Board approve the correction to Item 26 on the regular meeting of August 10, 2010 changing the Resolution Number to 133-2010.
6. [10-0983](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Approve amendments to existing contracts for emergency shelter care and/or foster care placement for children who have been taken into custody by Child Protective Services to include placement of minors that are the responsibility of the Probation Department as wards of the court; and
 - 2) Authorize the Purchasing Agent to execute said amendments upon County Counsel and Risk Management review and approval.

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

7. [10-0830](#) Chief Administrative Office recommending the Board approve employees eligible to receive the County's Early Retirement Incentive Plan, noting said plan was approved by the Board of Supervisors on July 20, 2010, Item No. 30. (Cont'd 8/24/10, Item 6)
8. [10-0954](#) District Attorney recommending the Board authorize the Chair to sign the Equitable Sharing Agreement and Certification Report for Federal Asset Forfeiture with the Department of Justice and the Treasury for a one year term, July 1, 2010 through June 30, 2011, to receive and share federal asset forfeitures to be used for law enforcement purposes.

9. [10-0921](#) Health Services Department recommending the Board authorize the Chair to sign Amendment I to Agreement 804-PHD1108 with Health Net of California, Inc., extending the term through June 30, 2011 to provide improved access to dental services for minors in unincorporated areas of the County.

FUNDING: Health Net of California, Inc.

10. [10-0951](#) Health Services Department recommending the Board authorize the Chair to sign Grant Agreement SDF 07-15 with the State of California, Health and Human Services Agency, Department of Alcohol and Drug Programs for the fourth year of funding in the amount of \$150,000 for the Safe and Drug Free Schools and Communities grant, also known as the "Las Decisiones Seguras" or "Safe Choices" grant.

FUNDING: Federal Funds administered by California Department of Alcohol and Drug Programs for the Safe and Drug Free Schools and Communities grant.

11. [10-0847](#) Health Services Department, in collaboration with the California Superior Court of El Dorado County (Superior Court), recommending the Board authorize the Chair to sign the following grant agreements:
- 1) Comprehensive Drug Court Implementation Dependency Drug Court (DDC) Notice of Grant Award 332-162-P-R2010 (DDC-10/11-09) in the amount of \$92,659 for the term July 1, 2010 through June 30, 2011 to provide funding for the DDC program; and
 - 2) Comprehensive Drug Court Implementation (CDCI) Notice of Grant Award 332-162A-P-R2010 (CDCI-10/11-09) in the amount of \$93,334 for the term January 1, 2011 through December 31, 2011 to provide funding for the CDCI program.

FUNDING: State Department of Alcohol and Drug Programs.

12. [10-0917](#) Health Services Department recommending the Board authorize the Chair to sign agreements with Domestic Violence Service Providers as follows:
- 1) The Center For Violence-Free Relationships Agreement 050-114-P-E2010 in an amount not-to-exceed \$65,000 for the term July 1, 2010 through June 30, 2011; and
 - 2) Womenspace Unlimited, South Lake Tahoe Women's Center Agreement 135-114-P-E2010 in an amount not-to-exceed \$65,000 for the term July 1, 2010 through June 30, 2011.

FUNDING: County marriage license tax revenue and a portion of payments made by persons granted probation for crimes against victims of domestic violence.

13. [10-0955](#) Human Services Department recommending the Board approve and authorize the Purchasing Agent to execute Agreements for Services with three (3) foster family agency or group home vendors (Karis House 514-S1010, Newstart Group Home 088-S1111 and Tabula Rasa Treatment Homes 515-S1010) for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis. The Agreements are effective upon execution, shall continue until terminated and specify 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.

14. [10-0975](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Chair to sign Agreement 162-S1110 with American Specialty Health Insurance Company in the amount of \$20,000 for the term July 1, 2010 through June 30, 2011 for the provision of chiropractic service to PacifiCare enrollees.

FUNDING: Risk Management Internal Service Fund.

15. [10-0960](#) Sheriff's Department recommending Board authorize Chair to sign Amendment 1 to Agreement 804-S0911 transferring Coroner services from Dr. William J. Gilles M.D. to Dr. Michael Berry, M.D. effective upon full execution of Amendment 1. All terms and conditions of the original agreement remain in effect.

FUNDING: Sheriff's Department Budget - General Fund.

16. [10-0384](#) The Department of Transportation recommending the Board authorize said Department to proceed with ordering and payment of title reports and certified appraisals for the following APN's: 025-433-08, CTC; 025-442-02, USFS; 025-442-06, USFS; 025-451-01, USFS; 025-452-02, USFS; 025-594-01, CTC; 025-595-09, USFS; 025-596-01, USFS; 025-596-02, USFS; 025-597-03, USFS; 025-621-03, CTC; 025-452-05, USFS; 025-452-06, USFS; 025-520-02, USFS; 025-644-04, USFS; 025-692-02, USFS; 025-692-03, USFS; 080-020-09, USFS, to furnish property encumbrance information for the Montgomery Estates Area 1 Erosion Control Project No. 95155, not identified in previous agenda items. (Refer - Item 40, 12/10/09, File 09-1202)

FUNDING: Erosion Control Projects are capitalized with any combination of grant funds from the California Tahoe Conservancy (CTC), the Tahoe Regional Planning Agency, (TRPA) the United States Bureau of Reclamation (USBR), or the United States Forest Service Lake Tahoe Basin Management Unit (USFS).

17. [10-0813](#) Department of Transportation recommending the Board authorize said Department to proceed with ordering and payment of title reports for the following APN's: 033-010-20, CTC; 033-020-03, California State Parks; 033-080-07, California State Parks; 033-090-14, USFS; 033-090-15, California State Parks; 033-100-15, CTC; 033-180-21, California State Parks; and 033-180-06, Cole; to furnish property encumbrance information to advance the design process for the Sawmill 2 Bike Path Erosion Control Project No. 95165, not identified in previous agenda items. (Refer - Item 31, 12/10/09, File 09-1201, Item 22, 6/2/09, File 09-0521)

FUNDING: Erosion control projects are capitalized with any combination of grant funds from the California Tahoe Conservancy (CTC), the Tahoe Regional Planning Agency (TRPA) the Bureau of Reclamation (USBR), or the United States Forest Service Lake Tahoe Basin Management Unit (USFS).

18. [10-0838](#) Department of Transportation recommending the Board take the following actions related to the Sly Park Road at Clear Creek Crossing Bridge Rehabilitation Project (SCH 2008102030):
- 1) Adopt the California Environmental Quality Act (CEQA) Mitigated Negative Declaration; and
 - 2) Approve the Project as described in the CEQA document.

FUNDING: The project is funded 88.53% through the Highway Bridge Program (HBP). The County's local 11.47% matching funds is available through a combination of Regional Surface Transportation Program (RSTP) dollars and local Traffic Impact Mitigation fees.

19. [10-0895](#) Department of Transportation recommending the Board adopt a Resolution sanctioning the closure of Main Street between Highway 193 and School Street, Harkness Street and Orleans Street between Church Street and South Street, and Placer Street between Church Street and Main Street, in Georgetown on Sunday, September 19, 2010, between 7:00 a.m. and 7:00 p.m. for the "Georgetown Founder's Day Event," subject to conditions set forth in Resolution No. 110-79 dated May 1, 1979, and subject to conditions set forth in the "Application for Road Closure."

20. [10-0964](#) Department of Transportation recommending the Board authorize the Chair to sign Grant Agreement and Terms and Conditions of Accepting Airport Improvement Program Grants for AIP Project No. 3-06-0093-08 with the United States Department of Transportation, Federal Aviation Administration (FAA) for grant funds in the amount of \$96,393 for improvements to the Georgetown Airport; noting improvements shall consist of Fill Hole at Edge of Runway Safety Area.

FUNDING: FAA and Local Match ACO Fund.

21. [10-0920](#) Department of Transportation recommending Chair authorize the Director of Transportation or his designee to sign Grant Agreement and Terms and Conditions of Accepting Airport Improvement Program Grants for AIP Project No. 3-06-0188-13 with the United States Department of Transportation, Federal Aviation Administration (FAA) for grant funds in the amount of \$373,426.00 for improvements to the Placerville Airport; noting improvements shall consist of Crack Repair and Slurry Seal West Hangar and Apron Area, Remark Runway Blast Pads, Construct Runway Exit Taxiway B, and Engineering for Airport Perimeter Fencing and Gates.

FUNDING: FAA and Local Match (Placerville Airport Enterprise Fund).

22. [10-0924](#) Department of Transportation recommending the Board take the following actions pertaining to the Airport Improvement Program Project No. 3-06-0188-13 for improvements to the Placerville Airport:
- 1) Award the Construction Contract for the Crack Repair and Slurry Seal West Hangar and Apron Area, Remark Runway Blast Pads and Construct Runway Exit Taxiway B to California Pavement Maintenance Company Inc. who submitted the lowest responsive, responsible bid of \$260,080.02; and
 - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

FUNDING: Federal Aviation Administration (FAA) Grant and Placerville Airport Enterprise Fund.

23. [10-0947](#) Development Services Department, Planning Services Division, forwarding Lot Line Adjustment BLA10-0015 for property identified by APNs 093-090-03, 093-090-06, and 093-090-10, consisting of 201.64 acres, in the Somerset area, submitted by John White; and recommending the Board take the following actions:
- 1) Certify that the project is Exempt from California Environmental Quality Act (CEQA) pursuant to Section 21080 of the CEQA Guidelines; and
 - 2) Approve Lot Line Adjustment BLA10-0015 based on the Findings listed in Attachment 1. (Supervisorial District II)

Board of Supervisors - Consent

24. [10-0986](#) Supervisor Knight recommending the Board authorize the Chair to sign a letter of support encouraging Governor Schwarzenegger to sign Assembly Bill 1204 (Huber/Gaines), a bill addressing the membership of the El Dorado County Transportation Commission (EDCTC).
25. [10-0987](#) Supervisor Nutting recommending the Board ratify a Certificate of Recognition for Kathy Elcock upon her retirement after 36 years of outstanding and exemplary service to the El Dorado County Department of Human Services and the citizens of El Dorado County.
26. [10-0967](#) Supervisor Santiago recommending the Board adopt a Proclamation declaring the month of September 2010 as Prostate Cancer Awareness Month.

END CONSENT CALENDAR

DEPARTMENT MATTERS

27. [10-0978](#) County Counsel recommending the Board select one person for appointment to fill a vacancy on the Board of Directors of the Pioneer Fire Protection District. (Est. Time: 15 Min.)

Staff is recommending Item 28 be continued to September 28, 2010.

28. [10-0682](#) Department of Transportation recommending the Board adopt a Resolution authorizing the El Dorado County Museum to pursue development and operation of the El Dorado Western Railway, as a living history program of the El Dorado County Historical Museum. (Cont'd 8/3/10, Item 22)

29. [10-0759](#) Chief Administrative Office recommending the Board adopt revisions to the Board of Supervisors Policy Manual. (Est. Time: 20 Min.) (Cont'd 8/17/10, Item 14)

2:00 P.M. - TIME ALLOCATION

30. [10-0809](#) HEARING - Consider the recommendation of the Planning Commission on General Plan Amendment A10-0001/Rezone Z09-0003/Tentative Map TM09-1488/Breeden Estates-Leoni Road Subdivision on property identified by APN 041-040-15, consisting of 75.7 acres, in the Grizzly Flat area, submitted by Christine Brown; and recommending the Board take the following conceptual actions:
- 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) incorporated as Conditions of Approval listed in Attachment 1;
 - 3) Approve General Plan Amendment A10-0001 amending the land use designation for APN 041-040-15 from Medium-Density Residential (MDR) to Low-Density Residential (LDR) based on the Findings listed in Attachment 1;
 - 4) Approve Z09-0003 rezoning APN 041-040-15 from Residential Agricultural-40 (RA-40) to Estate Residential Five-Acre (RE-5) for Lots 1-8 and 11-12, and Estate Residential (RE-10) for Lots 9-10 based on the Findings listed in Attachment 1;
 - 5) Approve Tentative Map TM09-1488 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
 - 6) Adopt Ordinance for said rezone; and
 - 7) Continue item for final action to occur with the adoption of the Resolution approving the General Plan Amendments considered by the Board during the "General Plan Window", tentatively scheduled for September 14, 2010. (Supervisorial District II) (Est. Time: 30 Min.)

31. [10-0806](#) HEARING - Consider the recommendation of the Planning Commission on General Plan Amendment A09-0006/Rezone Z09-0012/Pierce Trust on property identified by APN 327-140-07, consisting of 4.77 acres, in the Placerville periphery area, submitted by Elizabeth Ann Williams/Trustee; and recommending the Board take the following conceptual actions:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
 - 2) Approve General Plan amendment application A09-0006 amending the land use designation for APN 327-140-07 from Medium Density Residential (MDR) to Commercial (C) based on the Findings listed in Attachment 1;
 - 3) Approve Z09-0012 rezoning APN 327-140-07 from One-Acre Residential (R1A) to Professional Office Commercial-Planned Development (CPO-PD) based on the Findings listed in Attachment 1;
 - 4) Staff recommending the addition of Finding 3.5, which states: The Board finds that the Professional Office Commercial-Planned Development (CPO-PD) Zone District is more restrictive than the Commercial-Planned Development Zone District (C-PD) and, therefore, the anticipated impacts associated with the zone change are adequately addressed in the Negative Declaration considered by the Planning Commission based on the Initial Study prepared by staff.
 - 5) Adopt Ordinance for said rezone; and
 - 6) Continue item for final action to occur with the adoption of the Resolution approving the General Plan Amendments considered by the Board during the "General Plan Window", tentatively scheduled for September 14, 2010. (Supervisorial District III) (Est. Time: 2 Hrs.)
32. [10-0833](#) Development Services Department, Planning Services Division, recommending the Board adopt a Resolution approving the General Plan amendments considered by the Board during the September 2010 "General Plan Window." (Est. Time: 5 Min.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

33. 10-0698 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: 20 Min.)
34. 10-0968 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 070-261-82. The person or persons with whom the negotiator may negotiate Detmold Limited Partners, represented by Robert Laurie. Instructions to negotiator will concern both price and term of payment. Louis Green, County Counsel, Peter Maurer, Principal Planner, and Pete Feild, Right-of-Way Program Manager, will be the negotiators on behalf of El Dorado County. (Est. Time: 10 Min.)
35. 10-0982 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title: Central Valley Regional Water Quality Control Board - Clean Up and Abatement Order, No. R5-2009-0030 (Rubicon Trail). (Est. Time: 10 Min.)
36. 10-0988 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title: MV Transportation, Inc. v. El Dorado County, et al., 9th Judicial District Court of the State of Nevada, County of Douglas, Case No. 10-CV-0240. (Est. Time: 30 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

ADDENDUM

CLOSED SESSION

37. 10-1003 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Director of Transportation.

ANNOUNCEMENTS

Special Meeting – Monday, September 13, 2010

9:00 a.m. – Chief Administrative Office - Fiscal Year 2010/11 Budget Hearings

Special Meeting – Wednesday, September 15, 2010

9:00 a.m. – Chief Administrative Office – Fiscal Year 2011/12 Budget Hearings

Special Meeting – Monday, September 20, 2010 (If Needed)

9:00 a.m. – Chief Administrative Office – Fiscal Year 2011/12 Budget Hearings

Board of Supervisors Meeting in South Lake Tahoe – October 12, 2010

Special Meeting – Monday, October 25, 2010

9:00 a.m. – Chief Administrative Office - Property Tax Increments – Annexations

Special Meeting – Monday, October 25, 2010

1:00 p.m. – Department of Transportation - Cameron Park Interchange Project

Please Note: A Regular Board of Supervisors Meeting will be held on Monday, November 15, 2010, due to the California State Association of Counties (CSAC) Annual Meeting on Tuesday, November 16, 2010