



County of El Dorado

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Minutes - Final 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, October 27, 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 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

Present: 5 - Supervisor Knight, Supervisor Sweeney, Supervisor Nutting, Supervisor Briggs and Supervisor Santiago

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

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to adopt the Agenda and Approve the Consent Calendar with the following exceptions, Item 4 was pulled from the Consent Calendar and Items 19, 20, 21, 22, 23, 24, and 25 were amended to the Consent Calendar.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

OPEN FORUM

BUDGET UPDATE

A motion was made by Supervisor Knight, seconded by supervisor Santiago, to cancel the meeting scheduled for Monday November 2, 2009.

Yes: 5- Knight, Sweeney, Nutting, Briggs and Santiago

CONSENT CALENDAR

1. [09-1343](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, October 20, 2009.
This matter was Approved on the consent calendar.

2. [09-1313](#) Auditor-Controller recommending the Board receive and file the report of allocation of funds from El Dorado County's Supplemental Law Enforcement Funds (SLESF) for Fiscal Year 2008/2009 and the annual SLESF report to the State Controller.
This matter was Approved on the consent calendar.

3. [09-1296](#) 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

4. [09-1274](#) Adoption of Resolution approving the Georgetown Divide Recreation District Park Impact Fee Study and Park and Recreation Impact Fees. (Cont'd 10/20/09, Item 21)

FUNDING: Development and Impact Fees.

Resoluion 236-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 236-2009.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

5. [09-1230](#) Chief Administrative Office recommending the Board approve the employees eligible to receive the County's Early Retirement Incentive Plan. (Refer 10/20/09, Item 6)

This matter was Approved on the consent calendar.

6. [09-0502](#) Development Services Department recommending adoption of Resolution authorizing the Chief Administrative Officer to sign Amendment 1 to Standard Agreement 6100-8 with the State of California Emergency Management Agency (CalEMA) reducing the amount of the contract by 15 percent, from \$102,816.57 to \$88,679.57, and authorizing the Director of Development Services to execute further documents relating to this agreement.

FUNDING: State funding, CalEMA.

Resolution 237-2009

Adopted Resolution 237-2009 upon approval of the consent calendar.

7. [09-1177](#) Health Services Department recommending the Board authorize the Chairman to sign Agreement 888-PHD0909 to receive expedited allocation of twenty-five percent (25%) of Fiscal Year 2009-2010 Federal Public Health Emergency Response (PHER) Phase III H1N1 Supplemental Funds in the amount of \$90,499.

FUNDING: Federal Public Health Emergency Response (PHER) Phase III H1N1 Supplemental Funds.

This matter was Approved on the consent calendar.

8. [09-1311](#) Health Services Department recommending the Board authorize the Chairman to sign the following Alcohol/Drug Treatment Services Provider Agreements for a total not-to-exceed amount of \$405,000 for the term July 1, 2009 through June 30, 2010 ~~2009~~:
- 1) Agreement 845-PHD0509 with EDCA Lifeskills, Inc., in the amount of \$70,000;
 - 2) Agreement 844-PHD0509 with New Morning Youth & Family Services, Inc., in the amount of \$70,000;
 - 3) Agreement 839-PHD0409 with Progress House, Inc., in the amount of \$185,000; and
 - 4) Agreement 848-PHD0509 with Tahoe Youth & Family Services, Inc., in the amount of \$80,000.

FUNDING: Negotiated Amount (NNA) State Alcohol / Drug treatment services agreement.

Approved as amended, term ending date amended to end in 2010, upon the approval of the consent calendar.

9. [09-1300](#) Human Resources Department recommending the Board approve the following:
- 1) Adopt **Resolution 238-2009** amending Resolution 158-2009 to correct the authorized personnel allocation for the Health Services Department based on the Fiscal Year 2009-10 Proposed Budget; and
 - 2) Adopt **Resolution 239-2009** amending Resolutions 187-2009, 198-2009 and 221-2009 to correct the reference to the authorized personnel allocation resolution and correct the authorized personnel allocation for the Human Services Department.

Adopted Resolution 238-2009 amending Resolution 158-2009 and Adopted Resolution 239-2009 amending Resolutions 187-2009, 198-2009 and 221-2009 upon approval of the consent calendar.

10. [09-1298](#) Human Services Department recommending the Board authorize the Chairman to sign Agreement 186-M1011 with the County of Marin, as Host Entity, for the term July 1, 2009 through June 30, 2011 to enable El Dorado County to participate in and receive federal revenues for Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM) services; and authorize the Director of Human Services, or successor, to execute documents related to said Agreement , including amendments thereto contingent upon approval by County Counsel and Risk Management, that do not affect the term.

FUNDING: Federal Medicaid Funds.

This matter was Approved on the consent calendar.

11. [09-1215](#) Transportation Department recommending adoption of Resolution sanctioning the closure of roads in the Apple Hill area of Camino on Sunday, November 1, 2009 between 8:00 a.m. and 11:15 a.m. for the 30th Annual Apple Hill Harvest Run event.
Resolution 240-2009
Adopted Resolution 240-2009 upon approval of the consent calendar.
12. [09-1148](#) Transportation Department recommending the Board authorize the Director of said Department to execute Grant Agreement 09-DG-11272170-063 (09-52778) with the USDA Forest Service Pacific Southwest Research Station and any amendments that do not change the dollar amount of said Agreement in the amount of \$73,254 for a term through July 31, 2011 for an Urban Stormwater Perlite filtration study in the Montgomery Estates subdivision.

FUNDING: United States Department of Agriculture (USDA) Forest Service.
This matter was Approved on the consent calendar.
13. [09-1285](#) Recorder-Clerk recommending the Board authorize the Chairman to sign the Electronic Recording Memorandum of Understanding (MOU) 201-M1011 with California Electronic Recording Transaction Network Authority (CERTNA) for a one-year term to participate in the Electronic Recording Consortium.

FUNDING: Recorder-Clerk Special Revenue per Government Code 27397(d).
This matter was Approved on the consent calendar.
14. [09-1315](#) Sheriff's Office recommending the Board authorize the Sheriff to sign the operating Memoranda of Understanding (MOU) with the California Highway Patrol (CHP), and the County's Probation Department establishing the West El Dorado Narcotic Enforcement Team (WENET) Task Force.

FUNDING: 2009 California Multi-Jursdictional Methamphetamine Enforcement Team Program Grant (Cal-MMET).
This matter was Approved on the consent calendar.

15. [09-1245](#) University of California Cooperative Extension (UCCE) recommending the Board authorize the Chairman to sign retroactive Amendment No. 3 to Agreement No. 2007-ELDO-01 with The Regents of the University of California in the amount of \$32,856 for the term July 1, 2009 through June 30, 2010 to fund the County's share of the Program Representative for Volunteer Programs position.

FUNDING: Fiscal Year 2009-2010 Budget.

This matter was Approved on the consent calendar.

16. [09-0970](#) Veteran Affairs Department recommending the Board authorize the Chairman to sign the California Department of Veterans Affairs Certificates of Compliance for Fiscal Year 2009-2010 for participation in the Medi-Cal Cost Avoidance and County Subvention Programs.

This matter was Approved on the consent calendar.

17. [09-1336](#) Supervisor Santiago on behalf of the El Dorado County Child Abuse Council recommending the Board accept resignations letters from Annie Lynn, Katie House, and Susanna James; and appoint Susan Dorsey to serve as a Community Representative to the Child Abuse Council for a term to expire March 2011.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

18. [09-1288](#) Per the request of Waste Connections Inc., consider their request to conduct a public hearing for adoption of Resolution adjusting the solid waste collection rates for Waste Connections, Inc., dba Amador Disposal Service by 12.5% effective December 1, 2009. (Est. Time: 1/2 hr - 1 hr.)

FUNDING: There is no change in Net County Cost.

PUBLIC COMMENT

D. Sherry RE: Grizzly Flats. Garbage services id bad. Don't do what they agree to do. Not responsive to folks. The buses are able to pick up children when there is snow but the garbage company does not pick when there is snow and they do not credit the customers.

T. LaBois RE: The company has not done a proper showing to merit a 2nd increase this year. The increase may cause more illegal dumping. Blue plastic bags for recycling not efficient. The cart program could be better. This is effective in other counties.

E. Marris RE: Had understood that the garbage pickup company was changing in January 2010.

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, to deny the request.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

19. [09-1329](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado Proposition 1A General Fund, County Road Tax Fund and Accumulated Capital Outlay receivables from the State of California. (Est. Time: 30 min.)

FUNDING: General Fund \$6,383,713.12, County Road Tax Fund \$432,006.61 and Accumulated Capital Outlay \$100,241.77.

Resolution 241-2009

Adopted Resolution 241-2009 upon approval of the consent calendar.

20. [09-1330](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 9 Shadow Lane Zone Proposition 1A receivable from the State of California. (Est. Time: 5 min.)

FUNDING: CSA No. 9 Shadow Lane Zone \$117.62.

Resolution 242-2009

Adopted Resolution 242-2009 upon approval of the consent calendar.

21. [09-1331](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 2 Proposition 1A receivable from the State of California. (Est. Time: 5 min.)
FUNDING: CSA No. 2, \$1,796.96.
Resolution 243-2009
Adopted Resolution 243-2009 upon approval of the consent calendar.
22. [09-1332](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 3 Mosquito Abatement Proposition 1A receivable from the State of California. (Est. Time: 5 min.)
FUNDING: CSA No. 3 Mosquito Abatement \$26,705.43.
Resolution 244-2009
Adopted Resolution 244-2009 upon approval of the consent calendar.
23. [09-1333](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 5 Proposition 1A receivable from the State of California. (Est. Time: 5 min.)
FUNDING: CSA No. 5, \$3,291.68.
Resolution 245-2009
Adopted Resolution 245-2009 upon approval of the consent calendar.
24. [09-1334](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 7 Proposition 1A receivable from the State of California. (Est. Time: 5 min.)
FUNDING: CSA No. 7, \$229,417.57.
Resolution 246-2009
Adopted Resolution 246-2009 upon approval of the consent calendar.

25. [09-1339](#) Chief Administrative Office recommending adoption of Resolution approving and authorizing the Chairman to execute and deliver a purchase and sale agreement and all related documents with respect to the securitization of County of El Dorado County Service Area (CSA) No. 9 Diamond Springs Lighting Proposition 1A receivable from the State of California. (Est. Time: 5 min.)
FUNDING: CSA No. 9 Diamond Springs Lighting \$2,844.08.
Resolution 247-2009
Adopted Resolution 247-2009 upon approval of the consent calendar.

2:00 P.M. - TIME ALLOCATION

26. [09-1259](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z06-0027/Tentative Map TM06-1421/Special Use Permit S08-0028/Diamante Estates on property identified by APN 126-100-24, consisting of 113.1 acres, in the El Dorado Hills area, submitted by Diamante Development, LLC; and recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
 - 2) Adopt the Mitigation Monitoring Program in accordance with Section 15074(d) of the CEQA Guidelines, incorporated as conditions of approval listed in Attachment 1;
 - 3) Approve Z06-0027 rezoning APN 126-100-24 from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5) based on the findings listed in Attachment 1;
 - 4) Approve Tentative Subdivision Map TM06-1421 based on the findings and subject to the conditions of approval listed in Attachment 1;
 - 5) Approve Special Use Permit S08-0028 based on the findings and subject to the conditions of approval listed in Attachment 1; and
 - 6) Adopt Ordinance 4831 for said rezone. (Supervisory District IV)

PUBLIC COMMENT

P. Sayer RE: Stop approving the projects in pieces. Need to look at the effects all of the projects combined will have.

T. Schwank RE: 113 acres. Agricultural land in El Dorado Hills. This is good land and should no go to housing.

After hearing public testimony, a motion was made by Supervisor Briggs, seconded by Supervisor Knight, as follows:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study;**
- 2) Adopt the Mitigation Monitoring Program in accordance with Section 15074(d) of the CEQA Guidelines (conditions of approval in Attachment 1);**
- 3) Approve Z06-0027 rezoning APN 126-100-24 from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5) based on the findings (Attachment 1);**
- 4) Approve Tentative Subdivision Map TM06-1421 based on the findings and subject to the amended conditions of approval (Attachment 1), with Condition 51 amended, deleting "In the alternative, the second connection with an existing, improved public street may be provided by way of the Salmon Falls connector road in accordance with County approved design standards as shown on the Malcolm Dixon Area Traffic Circulation Plan.";**
- 5) Approve Special Use Permit S08-0028 based on the findings and subject to the conditions of approval listed in Attachment 1; and**
- 6) Adopt Ordinance 4831 for said rezone.**

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 27. [09-1239](#) 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 Sheriff’s 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.
This matter was No Action Reported

- 28. [09-1341](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Bobby S. Dutta v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20070464.
This matter was No Action Reported

- 29. [09-1345](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:** Title: Director of Health Services.
By unanimous vote, the Board approved the performance evaluation for Neda West, Director of Health Services, stating that she exceeds expectations in all eight categories resulting in a one step salary increase from step 3 to step 4.