



County of El Dorado

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Placerville, California
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MEETING AGENDA

Board of Supervisors

Rusty Dupray, Chairman, District I
Ron Briggs, First Vice Chairman, District IV
Norma Santiago, Second Vice Chairman, District V
Helen K. Baumann, District II
James R. Sweeney, District III

Cindy Keck, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, September 16, 2008

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.co.el-dorado.ca.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

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.

OPEN FORUM

WEST SLOPE ANIMAL SHELTER UPDATE

CONSENT CALENDAR

1. [08-1397](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, August 25, 2008 and the Regular Meeting of Tuesday, August 26, 2008.
RECOMMENDED ACTION: Approve.
2. [08-1375](#) Chairman be authorized to sign Release of Lien.
RECOMMENDED ACTION: Approve.
3. [08-1280](#) Public Health Department recommending Chairman be authorized to sign retroactive Agreement 260-F0911 (08-85054) with the California Department of Public Health in the amount of \$60,000 for the term July 1, 2008 through June 30, 2011 to provide continued funding for the local Childhood Lead Poisoning Prevention Program (CLPPP).
RECOMMENDED ACTION: Approve.

FUNDING: State Department of Public Health.
4. [08-1212](#) Public Health Department recommending the Acting Director of said Department be authorized to sign the Clinical Internship Agreement 214-M0910 (CSUS PT080040) with California State University, Sacramento, for the term September 1, 2008 through August 31, 2013, to allow physical therapy students to participate in an internship program with the County at the Public Health facility located at 3060 Snows Road in Camino.
RECOMMENDED ACTION: Approve.

5. [08-1374](#) District Attorney recommending Chairman be authorize to sign Equitable Sharing Agreement with the Department of Justice and Certification for Federal Asset Forfeiture report.
RECOMMENDED ACTION: Approve.
6. [08-1393](#) Elections Department recommending Chairman be authorized to sign Amendment I to Agreement 453-S0711 for ballot printing services, reflecting the contractor's change in name from Diebold Elections Systems, Inc. to Premier Election Solutions.
RECOMMENDED ACTION: Approve.
7. [08-1387](#) Information Technologies recommending advanced step placement of C. Richmond Chambers at Step 5 of the salary range for the Extra Help position of Information Technology Analyst - Operating Systems.
RECOMMENDED ACTION: Approve.
8. [08-1365](#) Veteran Affairs Department recommending Chairman be authorized to sign the California Department of Veterans Affairs Certificates of Compliance for Fiscal Year 2008-2009 for participation in the Medi-Cal Cost Avoidance and County Subvention Programs.
RECOMMENDED ACTION: Approve.
9. [08-1308](#) Facilities and Fleet Services Department recommending Chairman be authorized to sign Lease Agreement 249-L0911 with Richard F. Anderson and Cheryl L. Anderson in the amount of \$1,750.00 per month for the term October 1, 2008 through September 30, 2013 with options for three (3) additional one (1) year terms, for 2,666 square feet of Library space located at 6680 Orleans Street in Georgetown.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.
10. [08-1251](#) Facilities and Fleet Services Department recommending Chairman be authorized to sign Lease Agreement 240-L0911 with Placerville Masonic Center Association, Inc., in the amount of \$2,000.00 per month for the term on or about September 1, 2008 through December 31, 2008 for 7,000 square feet of office space located at 471 Pierroz Road in Placerville for the Sheriff's Department, noting the lease payments shall increase to the full lease payment amount of \$8,750.00 per month for the term January 1, 2009 through August 31, 2013 with three (3) additional one (1) year terms thereafter.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund - Sheriff's Department budget

11. [08-1363](#) Development Services Department, Planning Services Division, submitting final map (TM05-1400-F) for Cameron Park Duets; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements with Cameron Park Senior Living, LLC and Pacific Oak Development, Inc.
RECOMMENDED ACTION: Approve.
12. [08-1326](#) Transportation Department recommending Resolution **248-2008** sanctioning the closure of Main Street between Highway 193 and School Street, and 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 21, 2008, between 7:00 a.m. and 6:30 p.m. for the annual "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".
RECOMMENDED ACTION: Approve.
13. [08-1329](#) Transportation Department recommending Resolution **247-2008** sanctioning the closure of Church Street between Highway 193 and School Street, and partial closure of Harkness Alley, Orleans Street, and Placer Street where they intersect with Church Street in Georgetown, on Friday, October 31, 2008, between 5:00 p.m. and 8:00 p.m. for the 2008 Georgetown "Safe Halloween" event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure".
RECOMMENDED ACTION: Approve.
14. [08-1359](#) Transportation Department recommending adoption of Resolution **249-2008** (AOE 08-0010) summarily vacating the 15-foot El Dorado Irrigation District (EID) easement situated centrally across Lot 543, also identified as APN 085-381-04, as requested by Nicholas J. Heyart and Linda L. Heyart, to accommodate construction of improvements.
RECOMMENDED ACTION: Approve.
15. [08-1358](#) Transportation Department recommending adoption of Resolution **250-2008** (AOE 08-0009) summarily vacating the public utility easements located along the side and rear boundary lines for Lot 25, also identified as APN 110-612-04, as requested by David W. Helmsin and Rikki R. Helmsin, to accommodate construction of improvements.
RECOMMENDED ACTION: Approve.

16. [08-1349](#) Transportation Department recommending adoption of Resolution **252-2008** accepting the Irrevocable Offer of Dedication from Richard R. Stading and Diane A. Stading, for road right of way, in fee, and public utilities easement, located along the northeast boundary of Tract 1 of RS #29/16, APN 048-121-76, which is necessary to comply with the project conditions for S07-0006.
RECOMMENDED ACTION: Approve.
17. [08-1350](#) Transportation Department recommending adoption of Resolution **251-2008** acknowledging but rejecting at this time, Irrevocable Offer of Dedication from Ann Marie Salch and Carl G. Salch for road right of way and public utilities easement, situated along the westerly boundary line of APN 054-391-18, which is necessary to comply with the project conditions for DR07-0004.
RECOMMENDED ACTION: Approve.
18. [08-1225](#) Transportation Department recommending Chairman be authorized to sign a corrected Addendum to the Airport Property Lease Agreement No. 560-L0311 with Steven P. Bonak, dba Placerville Aviation, for the benefit of EDF REsource Capital, Inc. and the United States Small Business Administration.
RECOMMENDED ACTION: Approve.
19. [08-1031](#) Transportation Department recommending Chairman be authorized to sign the Easement Acquisition Agreement For Public Purposes and Certificate of Acceptance for the temporary construction easement from Thomas Van Noord, Trustee for APNs 109-240-08 and 109-030-33; and Director of said Department or designee be authorized to execute the escrow instructions and any other related escrow documents for this transaction, including payment of title and escrow fees for the Durock Road/Business Drive Signalization Project 73354.
RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program.
20. [08-1317](#) Transportation Department recommending the following pertaining to the Asphalt Concrete Overlay of Cold Springs Road, Contract PW 08-227:
1. Award of Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for September 4, 2008; and
2. Authorize the Chairman to sign said contract with the lowest responsive, responsible bidder, subject to review and approval of the final contract documents by County Counsel and Risk Management.
RECOMMENDED ACTION: Approve.

FUNDING: Prop 1B and RSTP funds.

21. [08-1233](#) Transportation Department recommending Chairman be authorized to sign the Easement Acquisition Agreement For Public Purposes and Certificate of Acceptance for the drainage easement and temporary construction easement from Russell-Promontory, LLC, for APN 117-010-05; and authorize the Director of said Department or designee to execute the escrow instructions and any other related escrow documents for this transaction, including payment of title and escrow fees, for the White Rock Road Widening Project 72360.
RECOMMENDED ACTION: Approve.
- FUNDING:** 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program.
22. [08-1348](#) Transportation Department recommending the Board approve negotiations with the property owners Stuart Porter (APN 061-042-32) and Steve Berkley (APN 061-560-65) to trade property for an easement on Georgetown Airport for right of way purposes; and direct staff to order title reports pertaining to same.
RECOMMENDED ACTION: Approve.
23. [08-0931](#) Transportation Department recommending Chairman be authorized to sign the Memorandum of Understanding between the County of El Dorado and the City of Placerville for a five year term for cost sharing relating to the purchase of emulsion.
RECOMMENDED ACTION: Approve.
- FUNDING:** Road Fund
24. [08-1281](#) Transportation Department recommending Performance Bond 82044784 in the amount of \$1,321,602.28 be reduced to \$400,384.21 for West Valley Village Unit 6C.
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.
25. [08-1279](#) Transportation Department recommending Performance Bond 82044783 in the amount of \$2,374,472.51 be reduced to \$722,530.33 for West Valley Village Unit 4 Subdivision.
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.
26. [08-1278](#) Transportation Department recommending Performance Bond 82044781 in the amount of \$4,768,592.98 be reduced to \$3,378,150.67 for the West Valley Village Unit 3A Subdivision.
RECOMMENDED ACTION: Approve.
- FUNDING:** Developer Funds.

27. [08-1395](#) Auditor-Controller recommending adoption of Resolution ~~252-2008-272-2008~~ establishing ad valorem tax rates for Fiscal Year 2008/2009 on the secured tax roll for taxing agencies in the County of El Dorado.
RECOMMENDED ACTION: Approve.
28. [08-1411](#) County Counsel recommending Chairman be authorized to sign Amendment 1 to Agreement for Legal Services with Sidley Austin, LLP to increase compensation by \$60,000 to \$150,000 for filing of validation action related to MC&FP Bonds and ancillary activities.
RECOMMENDED ACTION: Approve.
29. [08-1361](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Amendment I to Agreement for Services 224-S0811 with Occu-Med, Ltd., to add several employee medical exams/tests to list of approved exams/tests.
RECOMMENDED ACTION: Approve.
30. [08-1333](#) Air Quality Management District (AQMD) recommending Chairman be authorized to sign First Amendment to Funding Agreement 013-DMV-08/09-BOS with El Dorado County Fire Safe Council to modify payments quarterly restriction to allow monthly reimbursements to provide a chipping program and green waste dumpsters from AB2766 grant funding.
RECOMMENDED ACTION: Approve.

FUNDING: Special Revenue Fund.
31. [08-1237](#) El Dorado County Air Quality Management District recommending Chairman and the Air Pollution Control Officer be authorized to sign retroactive Memorandum of Understanding between said District and the Sacramento Metropolitan Air Quality Management District to provide local match funding in the amount of \$11,920 for the Congestion Mitigation and Air Quality Improvement grant for the regional Spare the Air campaign.
RECOMMENDED ACTION: Approve.

FUNDING: AQMD Special Revenue Fund.
32. [08-1319](#) Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Agreement for Services 216-S0911 with Legalese Attorney Services, Inc. in the amount of \$200,000 for a one year term to provide service of process on an "as requested" basis to departments County-wide.
RECOMMENDED ACTION: Approve.

FUNDING: Multiple Departments' Fiscal Year Approved Budgets.

33. [08-1415](#) Chief Administrative Office, on behalf of Facilities & Fleet Services Department, Department of Human Services, Mental Health Department, Public Health Department and the Department of Transportation, recommending the Auditor-Controller be authorized to make cash advances from the General Fund to various funds within those departments to prevent negative cash balances:
- 1) Accumulative Capital Outlay (ACO) Fund 13-200
 - 2) Community Services Fund 11-107
 - 3) El Dorado County IHSS Public Authority Fund 12-175
 - 4) El Dorado County Public Housing Authority Fund 12-176
 - 5) Mental Health Special Revenue Fund 11-110-001
 - 6) Public Health Special Revenue Fund 11-109
 - 7) Airport Capital Improvement Fund 31-414
 - 8) Erosion Control Fund 11-101
 - 9) South Lake Tahoe Transit Fund 31-405
 - 10) Road Fund 11-103

Advanced funds will be reimbursed with interest as determined by the Auditor-Controller.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund advances to be reimbursed from various non-General fund sources in each department.

34. [08-1306](#) 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.

RECOMMENDED ACTION: Approve.

35. [08-1412](#) Supervisor Sweeney recommending Sandi North be appointed to the Assessment Appeals Board for a term to expire September 2, 2011.

RECOMMENDED ACTION: Approve.

END CONSENT CALENDAR

DEPARTMENT MATTERS

36. [08-1347](#) County Counsel recommending re-introduction of Ordinance **4785** providing for annual contributions towards Missouri Flat Roadway Improvements; and further recommending the Board waive reading, read by title only, and continue the adoption of said Ordinance to **September 23, 2008**. (Refer 8/26/08, Item 33)
37. [08-1406](#) County Counsel recommending introduction of Ordinance **4787** levying a Special Tax within Community Facilities District No. 2002-01 (Missouri Flat Area); and further recommending the Board waive reading, read by title only, and continue the adoption of said Ordinance to **September 23, 2008**.
38. [08-1392](#) Chief Administrative Office recommending Chairman be authorized to sign the annual Agreements with the El Dorado County Resource Conservation District and Georgetown Divide Resource Conservation District in the amount of \$77,539.50 each for a term to expire June 30, 2009 to identify responsibilities and establish areas of cooperative effort for all parties regarding erosion and sediment control and watershed management. (Cont'd 9/16/08, Item 38)

FUNDING: General Fund.

39. [08-1409](#) Supervisor Baumann requesting, due to the down turn in the housing market and the current negative economic environment, Board discussion regarding the extension of building permits; recommending staff be directed to return to the Board on September 26, 2008 with options to extend building permits for one additional year (from the date of the original permit expiration), consideration of retroactive date, waive all associated fees pertaining to same; and further recommending staff be directed to return to the Board in September, 2009 for re-evaluation of same.
40. [08-1425](#) Supervisor Baumann recommending staff be directed to expedite the conversion of an existing valid hardship mobile home to a permanent secondary unit and that staff proceed with said conversion under the County's Site Plan Review Policy, include comment and findings from the Director of the Agricultural Department in lieu of required Agricultural Commission hearing, and levy the the traffic impact mitigation (TIM) fees at an amount equal to the 1998 (original permit date) assessed rate (\$2,709 for West Slope TIM per Resolution 32-98 and \$1,455 for State TIM per Resolution 31-98).

10:00 A.M. - TIME ALLOCATION

41. [08-1353](#) Chief Administrative Office recommending the Board of Supervisors adopt the Final Response to the 2007-08 Grand Jury Final Report Part 3 and authorize submittal of the Response to the Presiding Judge of the Superior Court.

2:00 P.M. - TIME ALLOCATION

42. [08-1360](#) Hearing to consider the following pertaining to 5.62 acres (APN's 101-291-03, -04, -05, and -06) in the Pollock Pines area; Applicant: Thomas R. Van Noord, John Conforti, and James Wunschel (District II):

(1) General Plan Amendment AZ06-0003 to amend the land use designation from Public Facilities (PF) to Commercial (C);

(2) Rezone from Limited Multifamily-Design Sierra (R2-DS) to Commercial-Design Sierra (C-DS); and

(3) Adopt Ordinance **4786** for said rezone.

43. [08-1372](#) Hearing to consider an appeal on the approval of Variance V08-0005 to allow a reduction in front yard setback from 30 feet to four feet from the edge of a 50-foot wide easement (High Hill Road) for an existing 6,180 square foot packing shed and sales structure on property consisting of 31.11 acres (APN 048-160-23) in the Camino area; Appellant: Ren Reinders. (District III)

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

CLOSED SESSION

44. [08-1161](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: 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).
45. [08-1419](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Edward L. Kemper v. El Dorado County, United States District Court - Eastern District of California. Case No. 2:08-CV-00384-GEB-GGH.
46. [08-1420](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: George S. Louis v. California Judicial Council, et al., United States District Court - Eastern District of California. Case No. 2:07-CV-00878-WBS-KJM.
47. [08-1405](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Coalition including El Dorado County Employees Association Local No. 1, General, Professional, Supervisory Bargaining Units; Operating Engineers Local No. 3 Trades & Crafts Bargaining Unit; El Dorado County Managers' Association, (MA) Bargaining Unit; and El Dorado County Criminal Attorney Association (CA) Bargaining Unit.
48. [08-1383](#) Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**
County Negotiator: Chief Administrative Officer
Unrepresented Employee: Director of Development Services
49. [08-1384](#) Pursuant to Government Code Section 54957, **Public Employment Appointment:**
Title: Director of Development Services.

3:00 P.M. - TIME ALLOCATION

50. [08-1379](#) Pursuant to Government Code Section 54957, **Public Employee Interviews:**
Title: Clerk of the Board of Supervisors.
51. [08-1380](#) Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**
County Negotiator: Chief Administrative Officer.
Employee/Organization: Clerk of the Board of Supervisors.
52. [08-1430](#) Pursuant to Government Code Section 54957: **Public Employee Appointment:**
Title: Clerk of the Board of Supervisors.

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