



# County of El Dorado

330 Fair Lane, Bldg A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
edcgov.us/bos

## 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, March 22, 2011

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](http://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.

#### **8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

**Absent:** 1 - Supervisor Santiago

#### **9:00 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

#### **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **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 with the following exceptions: Items 6 and 7 were pulled from the consent calendar and Item 2 was amended.

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Absent:** 1 - Santiago

#### **OPEN FORUM**

NONE

#### **BUDGET UPDATE**

L. Schwartz discussed AB 105 and the State budget.

**CONSENT CALENDAR**

1. [11-0283](#) Clerk of the Board recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, March 15, 2011.  
**This matter was Approved on the consent calendar.**
  
2. [10-1332](#) Clerk of the Board of Supervisors recommending the Board consider the following pertaining to the Tahoe Regional Planning Agency (TRPA) Advisory Planning Commission (APC):
  - 1) Recommend that the TRPA appoint Roger Trout to the APC as the chief planning officer for the County of El Dorado;
  - 2) Clarify that Appoint Peter Maurer has been as the designated as the alternate for the chief planning officer; and
  - 3) Recommend that the TRPA reappoint Alan Tolhurst as a lay member to the APC said commission for a term to expire January of 2013.  
(Refer 1/4/11, Item 17, and 2/15/11, Item 15 (09-0307))**This matter was amended and approved on the consent calendar.**
  
3. [11-0281](#) Chief Administrative Office recommending Chairman be authorized to sign Agreement #421-S1111 with Adam C. Clark for indigent defense/conflict panel services from date of execution through June 30, 2011 in an amount estimated at \$14,500 for the remainder of FY 2010-11.  
  
**FUNDING:** General Fund.  
**This matter was Approved on the consent calendar.**
  
4. [11-0239](#) Environmental Management Department recommending the Board adopt a Resolution authorizing the Director of said Department to execute and submit an application and all necessary documentation to the California Environmental Protection Agency (Cal/EPA) to secure grant funding in an amount up to \$54,820 for a term of three years for the implementation of the California Electronic Reporting System (CERS) as provided by AB 2286.  
  
**FUNDING:** Cal/EPA Certified Unified Program Agencies Trust Fund.  
**Resolution 032-2011**  
**Adopted Resolution 032-2011 upon approval of the consent calendar.**

5. [11-0231](#) Department of Human Services recommending the Board approve and authorize the Director to sign a letter of support for Tahoe Turning Point, Inc. to seek to open a Level 10 Vocational Group Home that will provide substance abuse counseling, mental health counseling and vocational training and provide a safe and healthy environment for children in our community who come under the jurisdiction of the El Dorado County Superior/Juvenile Dependency Court.

**FUNDING:** N/A

**This matter was Approved on the consent calendar.**

6. [11-0215](#) Sheriff's Department recommending the Board consider the following:  
1) Approve the retroactive Memorandum of Understanding between the El Dorado County Sheriff's Office, the Placerville Police Department, the South Lake Tahoe Police Department, the El Dorado County Probation Department, the El Dorado County District Attorney, El Dorado County Human Services, El Dorado County Health Services Department, Mental Health Division, and the El Dorado County Office of Education, on behalf of Schools throughout the County, and  
2) Authorize the Chief Probation Officer, Director of Human Services and Director of Health Services to sign the MOU on behalf of their respective departments.

**FUNDING:** Not Applicable.

**A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to approve this matter.**

**Yes:** 3 - Knight, Nutting and Briggs

**Noes:** 1 - Sweeney

**Absent:** 1 - Santiago

7. [11-0197](#) Department of Transportation recommending the Board approve and authorize the Chair to sign Contract Change Order No. 36 with DeSilva Gates - Viking, A Joint Venture in an estimated amount of \$243,008.20 to provide additional overhead sign structural steel for the US 50/Missouri Flat Road Interchange Improvements - Phase 1B Project (JN 71336).

**FUNDING:** State Transportation Improvement Program regional grant funds; State Highway Operations and Protection Program state operation funds; American Recovery and Reinvestment Act Transportation Enhancement federal grant funds; Transportation, Community, and System Preservation federal grant funds; Congestion Mitigation and Air Quality regional grant funds and Missouri Flat Master Circulation and Funding Plan local funds.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to approve this matter.**

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Absent:** 1 - Santiago

8. [11-0185](#) Department of Transportation recommending the Board approve and authorize the Chair to sign the Easement Deed for APNs 089-180-35, 36 and 37 with Pacific Gas and Electric Company to upgrade the existing utilities in the Chili Bar area of the County of El Dorado.

**This matter was Approved on the consent calendar.**

9. [10-1340](#) Department of Transportation recommending the Board adopt and authorize the Chair to sign the Resolution to add Intersection Stop Signs sanctioning the intersection stop signs on Cambridge Road (No. 306) at its intersection with Osborne Road (No. 331)/Merrywood Circle (No. 332) stopping northbound and southbound lanes and on Marina View Drive (No. 2060) at its intersection with Brook Mar Drive (No. 2058) stopping eastbound and westbound lanes.

**FUNDING:** Road Fund.

**Resolution 033-2011**

**Adopted Resolution 033-2011 upon approval of the consent calendar.**

10. [11-0168](#) Department of Transportation recommending the Board adopt and authorize the Chair to sign the Resolution to Establish/Amend Speed Restrictions sanctioning the revision to the "Speed Limits" on portions of Cold Springs Road, Garden Valley Road, Pleasant Valley Road, Sophia Parkway, and White Rock Road. Sanction the "Speed Limits" on portions of Latrobe Road and Lotus Road.

**FUNDING:** Road Fund.

**Resolution 034-2011**

**Adopted Resolution 034-2011 upon approval of the consent calendar.**

11. [11-0068](#) Department of Transportation recommending the Board consider the following:
- 1) Approve the termination of the Assignment of Airport Land Use Agreement with Larry Weitzman dated October 6, 1997; and
  - 2) Authorize the Chair to sign the Airport Ground Lease for Portable Hangars #11-53132, for Hangar Space No. TP-19 with Gregory S. Dodge in an amount of \$720 per year for ten years with additional two ten-year lease options, located at the Placerville Airport. (4/5 vote required)

**FUNDING:** Placerville Airport Enterprise Fund - Fee Revenue.

**This matter was Approved on the consent calendar.**

12. [10-1024](#) Department of Transportation recommending the Board authorize the Chair to sign Facility Use Agreement 219-O1111 with BLOODSOURCE, INC. in an amount of \$450 which shall expire on December 6, 2011 for the use of the South Lake Tahoe Branch Library for the purpose of conducting South Lake Tahoe community blood drives.

**This matter was Approved on the consent calendar.**

13. [09-0952](#) Department of Transportation recommending the Board consider the following:
- 1) Approve an increase to the construction contingency budget in the amount of \$132,000 for a total construction contingency budget amount of \$245,000 due to unsuitable, existing roadbed conditions encountered during the construction of the Durock Road/Business Drive, Traffic Signal and Intersection Widening Project (Contract No. PW 09-30446, CIP No. 73354); and
  - 2) Ratify the Department's approval of Contract Change Orders # 3, 4, and 5 for the structural changes necessary to fix the unsuitable conditions.

**FUNDING:** State and Local Partnership Grant Funds and 2004 General Plan Traffic Impact Mitigation Fee Program.

**This matter was Approved on the consent calendar.**

14. [08-1634](#) Department of Transportation recommending the Board consider the following:
- 1) Find pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Amendment that are not expressly identified in County job classifications, and that the ongoing aggregate of the work performed under this Amendment is not sufficient to warrant the addition of permanent staff; and
  - 2) Authorize the Chair to sign the First Amendment to Agreement for Services # AGMT 08-1814 with Youngdahl Consulting Group, Inc. increasing the not-to-exceed compensation amount by \$175,000 to a total of \$325,000 with no change to the term of the original Agreement and amending other Articles of the Agreement, to provide professional geotechnical and geological engineering services in support of the Capital Improvement Program.

**FUNDING:** 2004 General Plan Traffic Impact Mitigation Fee Program, Reimbursable Developer Fees and Federal and State Grant Funds.

**This matter was Approved on the consent calendar.**

15. [11-0222](#) Office of Veteran Affairs recommending the Board authorize the Director of Veterans' Affairs to sign the perpetual software and annual maintenance Agreement 342- S1110 with Panoramic Software for the purchase and implementation of VetProWeb, veteran case management software.

**This matter was Approved on the consent calendar.**

16. [11-0304](#) Supervisor Briggs recommending the Board approve the waiver of County Ordinance Code Section 5.32.170, allowing the promotion and sale of tickets by the El Dorado Arts Council for the 6th Annual Coloma Blues Live! Event per Site Plan Review (SPR 11-0001) scheduled for June 4, 2011.
- This matter was Approved on the consent calendar.**
17. [11-0291](#) Supervisor Santiago recommending the Board adopt the Resolution, Lake Tahoe Legends Ride, May 14, 2011, approving highway restrictions on State Highway Routes 50 and 89 between Stateline through South Lake Tahoe between the hours of 7:00 a.m. to 10:00 a.m. on May 14, 2011 to conduct the Lake Tahoe Legends Ride.
- Resolution 035-2011**
- Adopted Resolution 035-2011 upon approval of the consent calendar.**
18. [10-0272](#) Supervisor Santiago recommending the Board adopt the Resolution to Approve Highway Restrictions for America's Most Beautiful Bike Ride, Sunday, June 5, 2011, approving highway restrictions on State Highway Routes 50 and 89 between Stateline through South Lake Tahoe between the hours of 6:00 a.m. to 9:00 a.m. and closure of northbound Emerald Bay Road (Highway 89) from 6:30 a.m. to 8:30 a.m. on Sunday, June 5, 2011 for the 20th Annual America's Most Beautiful Bike Ride.
- Resolution 036-2011**
- Adopted Resolution 036-2011 upon approval of the consent calendar.**
19. [11-0292](#) Supervisor Santiago recommending the Board appoint Heather Segale to serve as a member on the Tahoe Resource Conservation District for a term to expire January 1, 2015.
- This matter was Approved on the consent calendar.**

**END CONSENT CALENDAR**



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

20. [11-0138](#) HEARING - Consider the recommendation of the Planning Commission on Rezone Z06-0020/Parcel Map P05-0004/Harrington Business Park on property identified by APNs 329-280-15 and 329-280-16, consisting of 76.59 acres, in the El Dorado-Diamond Springs area, submitted by Patricia Harrington and Michael Quigley; 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 CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and mitigation measures listed in Attachment 1;
  - 3) Approve Z06-0020 rezoning APN 329-280-15 and APN 329-280-16 (that portion lying north of State Route 49/Pleasant Valley Road) from Estate Residential/Commercial-Design Community (RE-10/C-DC) to Industrial-Design Community (I-DC) based on the Findings listed in Attachment 1;
  - 4) Approve tentative Parcel Map P05-0004 based on the Findings and subject to the Conditions of Approval listed in Attachment 1; and
  - 5) Adopt **Ordinance 4958** for said rezone. (Supervisorial District 3) (Est. Time: 1.5 Hrs)(Cont'd 3/1/11, Item 31)

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

- 1) **Amend Attachment 1:**
  - a) **Amend Conditions 25 and 26 changing the word "either" to "each";**
  - b) **Add condition "23a) The applicant shall construct a sound wall at the top of the slope easement for proposed Road "A" adjacent to APN 329-401-31. The sound wall will be in addition to, and placed on top of, any required retaining wall. The design of the sound wall shall be approved by the Department of Transportation (DOT) prior to construction. The applicant shall provide adequate security to assure completion of the sound wall prior to filing of the final parcel map."**
  - c) **Add a condition to require a 30' setback from residential parcels adjacent to this project;**
- 2) **Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;**
- 3) **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;**
- 4) **Approve Z06-0020 rezoning APN 329-280-15 and APN 329-280-16 (that portion lying north of State Route 49/Pleasant Valley Road) from Estate Residential/Commercial-Design Community (RE-10/C-DC) to Industrial-Design Community (I-DC) based on the Findings listed in Attachment 1;**
- 5) **Approve tentative Parcel Map P05-0004 based on the Findings and subject to the Conditions of Approval listed in Attachment 1; and**
- 6) **Adopt Ordinance 4958 for said rezone.**

**Yes:** 3 - Knight, Sweeney and Briggs

**Noes:** 1 - Nutting

Absent: 1 - Santiago

11-0270

CAO REPORTS

The Chief Administrative Officer had two reports; 1) Laura Roth, Director of Child Support Services, wanted to give thanks to the local businesses, The Clipper, The Windfall, Sacramento Parents Magazine, and Around Here Magazine which supported free advertising services to promote events which the Child Support Services is doing and 2) Handed out a chart of perpetual contracts for the Health Services Department noting that the amount for the billing software AVATAR was higher than the projected amount.

11-0280

ITEMS TO/FROM SUPERVISORS

ITEMS TO/FROM SUPERVISORS

Supervisor Sweeney discussed INRMP items on their web site which have not come to the Board.

He also discussed that during April the Clerk of the Board will be returning with the options regarding the Supervisor's Assistance's salaries and benefits package.

Supervisors Knight also discussed Supervisor's budgets and their assistants. Supervisor Nutting discussed that RCRC was having a meeting regarding the Land Management Plan for El Dorado and handed out various items from the meetings.

**CLOSED SESSION**

21. 11-0234 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: 10 Min.)  
**No Action Reported.**

**ADJOURNED AT 4:33 P.M. IN MEMORY OF WALT TYLER AND CLARENCE DILTS.**