



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, August 10, 2010

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

*The following items are hereby added to the published agenda:
Item 25 is added to the Consent Calendar,
Item 26 is added to Department Matters; and
Item 27 is added to Closed Session.*

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. [10-0871](#) Supervisor Santiago recommending the Board receive a presentation by Chief Probation Officer, Greg Sly, on services provided to youth in the County of El Dorado by the Probation Department. (Est Time: 15 Min.)

2. [10-0820](#) Supervisor Briggs recommending the Board receive a presentation regarding the Sierra Nevada Forest and Community Initiative. (Est. Time: 15 Min.)

OPEN FORUM**BUDGET UPDATE****CONSENT CALENDAR**

3. [10-0867](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, August 3, 2010.

4. [10-0879](#) Chief Administrative Office recommending the Board authorize the Chair to sign Budget Transfer recognizing Fiscal Year 2009-2010 actual revenues for Realignment Vehicle License Fee (VLF) and Sales Tax revenues for the affected Health and Human Services Departments. (4/5 vote required)

FUNDING: Realignment

5. [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 8/3/10, Item 6)

6. [10-0848](#) District Attorney recommending the Board adopt a Resolution authorizing him to execute a Grant Award Agreement including any extensions and amendments thereof for the Workers's Compensation Insurance Fraud Program for Fiscal Year 2010-2011.

7. [10-0864](#) District Attorney requesting the Board approve Budget Transfers increasing the Departments revenue and appropriations for Fiscal Year 09/10 to accommodate transfers from special revenue funds for respective programs within the Department. (4/5 vote required).

FUNDING: Various Grants - Automobile Insurance Fraud Grant, Worker's Compensation Fraud Grant, Proposition 64 Grant, Real Estate Fraud Grant

8. [10-0877](#) Recorder-Clerk-Registrar of Voters recommending the Board adopt a Resolution supporting the proposal of legislation to hold the January 4, 2011 Special General Election for the State Senate seat for District I by All Mail In Ballot.

9. [10-0619](#) Department of Transportation recommending the Board adopt a Resolution supporting the Department of Transportation's Grant Application for National Infrastructure Investments TIGER II Discretionary Grant funding for the U.S. 50 HOV Lanes, Phase 2A - Bass Lake Road to Cameron Park Drive Project, CIP # 53113.
- FUNDING:** US Department of Transportation's National Infrastructure Investments under the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for 2010

10. [10-0557](#) Department of Transportation recommending the Board consider the following pertaining to the Asphalt Concrete Overlay 2010 - Latrobe Road Project, Contract No. PW 09-30492/CIP No. 72182:
- 1) Adopt and approve contract documents; and
 - 2) Authorize advertisement for construction bids.
- FUNDING:** American Recovery & Reinvestment Act, General Fund Contribution and Regional Surface Transportation Program funds from the El Dorado County Transportation Commission.

BOARD OF SUPERVISORS - CONSENT

11. [10-0869](#) Supervisor Sweeney recommending the Board appoint Chris Gaither to the Diamond Springs/El Dorado Community Advisory Committee for a term to expire on October 30, 2011.
12. [10-0878](#) Supervisor Briggs recommending the Board authorize the Chair to sign a letter to the U.S. Department of Agriculture in support of the Shingle Springs Band of Miwok Indians' loan application for the construction of a new Health Clinic facility.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

13. [10-0450](#) HEARING - Consider adoption (Second Reading) of **Ordinance 4989** revising County Ordinance Code Title 2 and Title 15 to bring into compliance with current building codes and terminology, to streamline permit processes, and to remain consistent with Tahoe Regional Planning Agency regulations. (Est. Time: 30 Min.)
14. [10-0364](#) Consider Serrano Associates, LLC request for refund of Mello-Roos taxes. (Cont'd 7/20/10, Item 32) (Est. Time: 20 Min.)

15. [10-0886](#) Consider options for future levy of special district taxes in Community Facilities District No. 1992-1, uses of available CFD funds, and direction to be given to the County Auditor-Controller. (Est. Time: 20 Min.)

2:00 P.M. - TIME ALLOCATION

16. [10-0782](#) HEARING - Consider Planning Commission's recommendation that the Board take the following action regarding Ordinance OR10-0001/Grading Ordinance:
- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
 - 2) Approve Ordinance OR10-0001 amending the Grading, Erosion and Sediment Control Ordinance, Section 15.14 of the County Code, with the revised language as presented in Attachment 2, based on the Findings listed in Attachment 1; and
 - 3) Adopt said Ordinance.
- (Est. Time: 20 Min.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

17. 10-0824 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Serrano Claim for CFD Tax Refund. Number of potential cases: (1). (Est. Time: 15 Min.)
18. 10-0876 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 117-160-19, 44, 45, 57, 60 and 61. The person or persons with whom the negotiator may negotiate is El Dorado Hills Investors, Ltd., Anthony Mansour, General Partner. Instructions to negotiator will concern price and terms of payment. Pete Feild and Matt Smeltzer will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
19. 10-0697 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.)
20. 10-0840 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Cameron Park Community Services District v. El Dorado County, et al., Sacramento County Superior Court Case No. 07CS00059. (Est. Time: 15 Min.)
21. 10-0860 **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1). (Est. Time: 15 Min.)
22. 10-0885 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):
Number of potential cases: (1) (Est. Time: 20 Min.)

23. 10-0883 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title:
1. MV Transportation, Inc. v. South Tahoe Area Transit Authority, et al., El Dorado County Superior Court Case #SC20100154; and
2. MV Transportation, Inc. v. El Dorado County, et al., 9th Judicial District Court of the State of Nevada, County of Douglas, Case #10-CV-0240. (Est. Time: 20 Min.)
24. 10-0880 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title: Daniel Harkin, et al., v. County of El Dorado, et al., El Dorado County Superior Court Case #PC20090530 (Est. Time: 10 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

ANNOUNCEMENTS

Special Meeting – Monday, August 23, 2010 at 9:00 a.m. – Department of Transportation Budget, and 1:00 p.m. – Cameron Park Interchange Project/Silva Valley Interchange Project

Special Meeting – Monday, September 13, 2010 at 9:00 a.m. – Fiscal Year 2010/11 Budget Hearings

Special Meeting – Monday, October 25, 2010 at 9:00 a.m. – Property tax increments – annexations

Special Meeting – Monday, October 25, 2010 at 1:00 p.m. – Cameron Park Interchange Project.

ADDENDUM**CONSENT CALENDAR**

25. [10-0892](#) District Attorney recommending the Board adopt a Resolution authorizing him to execute grant award agreements with the California Emergency Management Agency (CalEMA)

DEPARTMENT MATTERS

26. [10-0382](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the State of California, Department of Transportation Master Agreement for State Funded Projects, Agreement No. 00314S; and
 - 2) Adopt a Resolution allowing the Director of Transportation to execute program supplements associated with this Master Agreement.

FUNDING: N/A

CLOSED SESSION

27. [10-0894](#) Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):
Number of potential cases: (1)