



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, January 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.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

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

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.

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 29 was amended to the Consent Calendar, Items 8, 10, 14 & 15 were pulled from the Consent Calendar, Items 4 & 31 were continued off calendar, Items 20, 28 & 32 were continued to February 10, 2009.

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

OPEN FORUM

10:00 A.M. - PRESENTATION

1. [08-1802](#) Presentation by Susie Kocher, Natural Resources Advisor, for the University of California Cooperative Extension, on the Sierra Nevada Adaptive Management Project in the Tahoe Basin.

No Formal Action Required

BUDGET UPDATE

CONSENT CALENDAR

2. [09-0111](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Regular Meetings of Tuesday, January 13, 2009 and Tuesday, January 20, 2009.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

3. [09-0037](#) Human Services Department recommending the Chairman be authorized to sign Amendment II to Agreement for Services 610-S0711 with Sierra Recovery Center increasing compensation by \$56,000 to \$131,000 for the continued provision of therapeutic counseling, inpatient and outpatient substance abuse testing and other related services for clients in the South Lake Tahoe area.
RECOMMENDED ACTION: Approve.

FUNDING: Funding sources are 85% Federal/State Social Services allocation with a 15% County match. This annual Federal/State Social Services allocation is expected to be ongoing.

This matter was Approved on the consent calendar

4. [08-1842](#) Human Services Department recommending Chairman be authorized to sign retroactive Agreement for Services 469-S0910 with Tahoe Regional Planning Agency dba South Tahoe Area Transit Authority dba Blue Go in the amount of \$90,000 for the term November 1, 2008 through October 31, 2011 to allow for continued provision of bus transportation services on an "as requested" basis for clients in the South Lake Tahoe area.
(Cont'd 1/13/09, Item 7)
RECOMMENDED ACTION: Continue to February 3, 2009.

FUNDING: 85% Federal/State Social Services Allocation with a 15% County match. This annual Federal/State Social Services allocation is expected to be ongoing.

This matter was continued off calendar upon adoption of the consent calendar

5. [09-0066](#) Health Services Department recommending Chairman be authorized to sign Agreement 566-S0910 (811-PHD1208) with Sandra Dunn, dba Sandra Dunn and Associates, modifying the compensation of the original agreement to a not-to-exceed amount of \$325,000 and extending the term of the original agreement through September 29, 2009, noting this will incorporate prior agreement 228-S0711 (533-PHD0606) into 566-S0910.
RECOMMENDED ACTION: Approve.

FUNDING: Agency for Healthcare Research and Quality (AHRQ) grant extension.

This matter was Approved on the consent calendar

6. [09-0040](#) Health Services Department recommending Chairman be authorized to sign retroactive Grant Agreement and Conditions 2716288 with Blue Shield of California Foundation (BSCF) in the amount of \$125,000 for the period January 1, 2009 to January 1, 2010, for extension of the ACCEL Health Information Exchange (HIE) Project; and Budget Transfer 29052 increasing revenues and expenditures for same (4/5 vote required).

RECOMMENDED ACTION: Approve.

FUNDING: Blue Shield of California Foundation Grant.

This matter was Approved on the consent calendar

7. [09-0048](#) Health Services Department recommending Chairman be authorized to sign Amendment I to Agreement for Services 025-S0911 (722-PHD0408) with Sierra Recovery Center increasing the provisional amount from \$71,986 to \$74,566 for a term through June 30, 2009 to provide assessment, substance abuse treatment services, and drug testing for clients that qualify to participate in the Proposition 36 Program.

RECOMMENDED ACTION: Approve

FUNDING: El Dorado County Alcohol and Drug Program receives State and Federal funding for this Proposition 36 program.

This matter was Approved on the consent calendar

8. [09-0046](#) District Attorney's Office recommending adoption of Resolution **15-2009** to increase the real estate document fees from \$2 to \$3 for every recording of real estate instrument according to Government Code Section 27388.

RECOMMENDED ACTION: Approve.

FUNDING: Real Estate Fraud Prosecution Trust Fund.

A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to continue this matter to February 24, 2009.

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

9. [08-1845](#) Sheriff's Department recommending Chairman be authorized to sign retroactive Agreement 696-S0810 with the County of Sacramento in an amount not-to-exceed \$150,000 for the term July 1, 2008 through June 30, 2011 to provide autopsy support and morgue services on an as-needed basis; and recommending the Board accept Resolution No. 2008-1144 from Sacramento County for same.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

10. [09-0060](#) Sheriff's Department recommending the Board appoint a vehicle abatement hearing officer per Ordinance 4676.

RECOMMENDED ACTION: Approve.

FUNDING: None.

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

1) Appoint at the discretion of the Sheriff a hearing officer from within the Sheriff's department on an interim basis;

2) Direct staff to research and if appropriate, bring forward ordinance amendments to allow the Board greater discretion in the appointment of a hearing officer; and

3) Direct staff to allow a person being heard within the current regulations, to defer their hearing until a time that an alternate hearing officer is appointed.

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

11. [09-0068](#) Sheriff's Department recommending Chairman be authorized to sign Reimbursement Agreement between the County of El Dorado and the El Dorado Hills County Water District/Fire Department in the amount of \$134,000 for purchase of computer docking stations with funding from the Fiscal Year 2007 Homeland Security Grant.

RECOMMENDED ACTION: Approve.

FUNDING: FY 2007 Homeland Security Grant Funds.

This matter was Approved on the consent calendar

12. [09-0083](#) Environmental Management Department recommending adoption of Resolution **10-2009** declaring January 1 -31, 2009 as "Radon Action Month" in the County of El Dorado.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

13. [09-0027](#) Environmental Management Department/Air Quality Management District and Transportation Department recommending Budget Transfer appropriating Transportation Development Act Article 3 and Article 8 funding within Transportation special revenue funds. (4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [08-1866](#) Development Services Department recommending Chairman be authorized to sign the Memorandum of Agreement with the Tahoe Regional Planning Agency (TRPA) to provide financial and staff support for the preparation of documents leading to the update of the TRPA Regional Plan and the County of El Dorado General Plan, in conjunction with the Pathway 2007 Planning Process.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to continue this matter to February 24, 2009.

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

15. [09-0021](#) Development Services Department recommending adoption of Resolution **12-2009** authorizing the Department to collect a California Building Standards Commission Fee effective January 1, 2009, as required by the State of California as directed in Senate Bill Number 1473.

RECOMMENDED ACTION: Approve.

FUNDING: Permit Fees.

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

1) Request an opinion from the Attorney General regarding the legality of Senate Bill 1473;

2) Request that the Attorney General state the nexus of the fee within Senate Bill 1473;

3) Direct the Department to cease to collect the fees at this time; and

4) Direct that any fees collected to date be held by the Treasurer until receipt of the response of the Attorney General.

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

16. [09-0022](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Agreement for Services AGMT 06-1302 with Universal Field Services, Inc., Amendment I to Agreement for Services AGMT 06-1303 with Bender Rosenthal, Inc. and Amendment I to Agreement for Services AGMT 06-1304 with Sierra West Valuation to amend Article II to extend the expiration date of February 12, 2009 to February 12, 2010, Article III to update or add a new fee schedule for the extended term and amending other articles of the contract to conform to current contract standards for Right of Way services in support of projects included in the County's Capital Improvement Program.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program and anticipated State and Federal Grants.

This matter was Approved on the consent calendar

17. [08-1658](#) Transportation Department recommending Chairman be authorized to sign Amendment II to Agreement for Services AGMT 06-1018 with Nichols Consulting Engineers, Chtd. increasing the compensation amount by \$475,000 to \$975,000 and extending the term two (2) additional years through January 30, 2011 to provide planning, design, project support and project delivery services for erosion control and water quality projects in the Tahoe Basin in conjunction with the Environmental Improvement Program.

RECOMMENDED ACTION: Approve.

Funding: California Tahoe Conservancy, United States Forest Service, United States Bureau of Reclamation, Tahoe Regional Planning Agency grant funding, Road Fund and General Fund.

This matter was Approved on the consent calendar

18. [08-1797](#) Transportation Department recommending Chairman be authorized to sign Acquisition Agreement for Public Purposes and Certificates of Acceptance for the related deed and easement from Taff A. and Dorothy A. Freitas for APN 325-180-14; and authorize the Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the U.S. Highway 50/Missouri Flat Road Interchange Improvement Project, 71336, Phase 1B.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Mitigation Fee Program (TIM).

This matter was Approved on the consent calendar

19. [08-1708](#) Transportation Department requesting authorization to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Green Valley Road Bridge at Tennessee Creek Replacement Project 77109, affecting portions of the following subject parcels: APN 069-241-01, Clifford T. Leonhardt and Carol Jean Leonhardt; APN 069-241-15, Cynthia A. Sanchez and Louis A. Sanchez; APN 069-340-01, Paul V. Richardson and Patricia E. Richardson; APN 069-241-14, Mark K. Freeman and Christine Freeman; APN 069-101-81, Randall J. Siron and Nancy Lee Siron; APN 069-101-86, Mary L. Johnston; APN 069-101-28, Joan M. Nash; APN 069-251-09, Raymond E. Perkins and Susan J. Perkins; APN 069-251-10, Michael L. Schei and Linda L. Schei; APN 069-040-11, Edward Michael Dugan, Sr. and Beverly Theresa Dugan; APN 069-040-13, Richard Elliott Frazier and Richard E. Frazier; APN 069-101-60, Randy Peace and Norma Peace; APN 069-101-31, Jessie E. Church; APN 069-340-02, Ardys Beatrice Forster, Tamra Forster Kingsley, Karis Forster Vaughan, Noree Forster Preble, Nadia Forster Artero, Marli Bea Forster Patterson, Darci A. Iseger and Douglas A. Vaughan; APN 069-040-20, Jon Cooper; APN 069-101-15, Neil L. Miller and Brenda S. Miller; APN 069-340-04, Stephen S. Kramer and Kaye S. Kramer; APN 069-340-07, William R. Sowders and Lizabeth L. Sowders; APN 069-340-09, Dean L. Beamer and Jeannette S. Beamer; APN 069-340-10, Brenda L. Gallion; and APN 069-340-11, Geraldine Wegl.
- RECOMMENDED ACTION:** Approve.

FUNDING: Highway Bridge Program (HBP), Highway Safety Improvement Program (HSIP) Grants and the 2004 GP Traffic Impact Mitigation Fee Program (TIM) .

This matter was Approved on the consent calendar

20. [09-0126](#) County Counsel recommending Board approve the Pollock Pines Park Forest Fuels Management Project and find that the project is categorically exempt under California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption.
- RECOMMENDED ACTION:** Approve.

This matter was continued to February 10, 2009 upon adoption of the consent calendar.

21. [09-0097](#) County Counsel recommending adoption of Resolution **013-2009** authorizing the Gold Oak Union School District to issue and sell, on its own behalf, up to \$4,000,000 of general obligation bonds which were authorized by the voters of the District on November 4, 2008.
- RECOMMENDED ACTION:** Approve.

Resolution 013-2009 was adopted upon adoption of the consent calendar.

22. [09-0077](#) Chief Administrative Office recommending adoption of Resolution **11-2009** accepting the exchange of property tax increments for the annexation of two parcels (APN's 102-210-12 and 102-220-133) into the El Dorado Irrigation District, Local Agency Formation Commission Project No. 2008-03.
RECOMMENDED ACTION: Approve.
Resolution 011-2009 was adopted upon adoption of the consent calendar.
23. [09-0078](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board award of Bid 09-405-061 for the purchase of propane gas to the low qualified bidder, Ferrellgas of El Dorado Hills, CA and recommending the Purchasing Agent be authorized to issue a blanket purchase order in the amount of \$600,000 for a two year period following Board approval and an increase to the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting Department's budget.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.
This matter was Approved on the consent calendar

BOARD OF SUPERVISORS - CONSENT

24. [09-0103](#) Supervisors Knight and Nutting recommending Certificate of Recognition for Brett Thompson acknowledging his hard work and community commitment needed to complete the requirements for the rank of Eagle Scout.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
25. [09-0123](#) Supervisor Nutting recommending Richard D. Mason be appointed to serve as a representative for District 2 on the Assessment Appeals Board for a term to expire September 1, 2010.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
26. [09-0093](#) Supervisor Sweeney recommending Sandi North be reaffirmed as a member for District 3 on the Assessment Appeals Board for a term to expire September 2, 2011.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

27. [09-0096](#) Supervisor Santiago recommending Gail Healy and Katie House be appointed to serve as members on the El Dorado County Child Abuse Prevention Council for terms to expire January 1, 2011; and recommending the Board accept letters of resignation from Elizabeth Blakemore and Michelle Witt.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

28. [09-0056](#) Supervisor Santiago recommending the Chairman be authorized to sign a letter to Governor Schwarzenegger opposing the proposed elimination of the California Conservation Corps. (Cont'd 1/13/09, Item 28)

RECOMMENDED ACTION: Approve.

This matter was continued to February 10, 2009 upon adoption of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

29. [09-0062](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Purchasing Agent be authorized to utilize the County Office of Education's purchasing contract for janitorial paper goods in accordance with County Ordinance 3.12.160D; and authorize a blanket purchase order to JC Nelson Company of Fairfield, CA in the amount of \$160,000 including sales tax, for a term to expire December 31, 2010 and an increase to same on an "as-needed" basis during the awarded period if funding is available within the requesting department's budget.

FUNDING: General Fund.

This matter was added to the Consent Calendar and approved.

30. [09-0064](#) Chief Administrative Office recommending the Chairman be authorized to sign a letter to the United States Forest Service, Eldorado National Forest, requesting the establishment of a new single county Resource Advisory Committee within El Dorado County; and, requesting the Board provide direction regarding the distribution of Title III funding.

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

1) Authorize the Chairman to sign letter that begins the process to establish a Resource Advisory Committee within El Dorado County; and

2) Direct staff to continue the distribution of the Title III funds as we have in the past.

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

31. [08-1861](#) County Counsel recommending the Board authorize amendment to the Transfer Agreement Between The South Tahoe Area Transit Authority And County Of El Dorado Regarding The Operation And Funding Of Bluego Oncall Demand Responsive Transit Services to comply with Transportation Development Act (TDA) rules and regulations. (Cont'd 1/13/09, Item 30)

This matter was continued off calendar upon adoption of the consent calendar.

32. [09-0109](#) Chief Administrative Office recommending adoption of Resolution **14-2009** repealing Resolution 436-74, and setting new guidelines for special district loan requests. (Cont'd 1/27/09, Item 32)

FUNDING: None.

This matter was continued to February 10, 2009 upon adoption of the consent calendar.

33. [08-1301](#) Chief Administrative Office recommending the Board appoint a Charter Review Committee consisting of one representative and one alternate per supervisorial district as approved by the Board at its September 23, 2008 meeting.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to appoint Cris Alarcon as District III Representative, Fredrick Gundran as District III Alternate, Clarence Dilts as District IV Representative, Art Marinaccio as District IV Alternate, Robert Laurie as District II Representative, and Kevin Brown as District II Alternate; and

This matter is continued to February 3, 2009 for the final appointments.

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

34. [08-1762](#)

APPOINTMENTS to Committees/Commissions that are advisory to the Board of Supervisors. Only vacancies, expired terms and/or appointments that are coterminous with the District Supervisors' term are listed.

Aging Commission - 4 Year Term

Member, Vacant, District 2 (Jan 2009)

Member, Vacant, District 1 (Jan 2009)

Alternate Member, Vacancy (1), District V (Jan 2009)

Building Appeals Board - 3 Year Term

Member, Professional Category, (1) Jeffrey D. Haberman (Jan 2009)

Member, Professional Category, (1) Vacant (Jan 2009)

Cemetery Advisory Committee - 2 Year Term

Member, Lynette Mizell (1), District 2, (Jan 2010)

Member, Native American Representative (Jan 2009)

Community Action Council - 4 Year Term

Alternate Member, District 4

El Dorado County Early Care and Education Planning Council - 4 Year Term

Member, Vacancies (2), Community Member (Dec 2008)

Member, Vacancy (1), Consumer (Apr 2008)

Member, Vacancy (1), Public Agency (Jan 2011)

Member, Vacancy (1), Provider (Dec 2008)

El Dorado County Economic Development Advisory Committee - 4 Year Term

Member, Vacancy (1), District 2 (Jun 2008)

Member, Vacancy (1), District 1 (Jun 2008)

Member, Vacancy (1), District 1 (Jan 2010)

El Dorado Solid Waste Advisory Committee - 5 Year Term

Alternate Member, Vacancy (1) City of South Lake Tahoe

Local Disaster Council - 4 Year Term

Members, Vacancy (1), District 1 (Jan 2009)

Mental Health Commission - 3 Year Term

Member, Western Slope Commission, Vacancy (1), (Jan 2009)

Parks and Recreation Commission - No Term - One each Bd. Mbr.

Member, Tony Rogozinski, Vacancy (1) District 1 (Jan 2009)

Placerville Airport Advisory Committee - 4 Year Term

Member, BOS appointee, Non-User Group, Vacancy (1) (Jan 2008)

Veterans Affairs Commission - 4 Year Term

Alternate, Vacancies (2) Districts 1 and 3

APPOINTMENT OF BOARD MEMBERS TO STATEWIDE AND REGIONAL ORGANIZATIONS:**Community Action Council - 4 Year Term**

Member, Vacancy (1) (Jan 2009)

Alternate Member, Vacancy (1) (Jan 2009)

Sacramento Area Commerce and Trade Organization - No Term

Member, Norma Santiago

Alternate, Jack Sweeney

(Refer 1/13/09, Item 33)

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, to approve the following appointments:

Chamber of Commerce – County: Representative, Ray Nutting and Alternate, Jack Sweeney (changing appointments from January 13, 2009)

Sacramento Area Commerce and Trade Organization: Member, John Knight (correction on appointments from January 13, 2009)

This matter is continued to February 3, 2009 for further appointments.

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

BOARD OF SUPERVISORS**35. [09-0120](#)**

Supervisor Sweeney recommending the Board establish a process to enable a Supervisor to bring before the Board a Conceptual Plan for a project proposed within their district.

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to direct the Development Services Director to return to the Board on February 24, 2009 with a resolution for the Conceptual Scoping Process.

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

2:00 P.M. - TIME ALLOCATION

36. [09-0051](#) Hearing to consider the following pertaining property identified as APN 098-160-44 consisting of 5.31 acres in the Pleasant Valley/Oak Hill area: (Applicant: Randolph Fulp) District 3.
- (1) Find the project is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA guidelines;
 - (2) Approve Rezone (Z08-0020) from Timberland Preserve Zone (TPZ) to Estate Residential Five-acre (RE-5); and
 - (3) Adopt Ordinance **4807** for said rezone. (4/5 vote required)

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

- 1) Tentatively approve the request for Rezone (Z08-0020);
- 2) Tentatively find the project is exempt from California Environmental Quality Act;
- 3) Direct staff to forward the documentation to the State Board of Forestry for their approval of the request; and
- 4) Return to the Board once the State Board of Forestry has approved the application, with necessary documents and if appropriate a resolution regarding the applicants request for a waiver of tax recoupment fees.

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

37. [09-0050](#) Hearing to consider the following pertaining to property identified as APN 109-420-18 consisting of 0.78 acre in the Shingle Springs area:
Applicant: Bruce Wirtanen. District 2
(1) Certify that the project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301(k) of the CEQA guidelines;
(2) Approve Rezone (Z08-0028) from Industrial-Design Control (I-DC) to Industrial-Planned Development (I-PD) based on the findings listed in Attachment 1;
(3) Adopt Ordinance **4806** for said rezone;
(4) Approve Planned Development (PD08-0015) adopting the development plan as the official development plan; and
(5) Approve Parcel Map (P08-0026) based on the findings and subject to the conditions listed in Attachment 1.

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

- 1) Certify the project as categorically exempt from California Environmental Quality Act (CEQA);**
- 2) Approve Rezone (Z08-0028);**
- 3) Adopt Ordinance 4806;**
- 4) Approve Planned Development (PD08-0015); and**
- 5) Approve Parcel Map (P08-0026).**

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

38. [08-1860](#) Hearing to consider the following pertaining a tentative subdivision map correction (TM69-0002-C3) on property identified as APN 009-453-02, consisting of 13,422 square feet, in the Pollock Pines area: (James and Sheryl Haar) District 2:
(1) Certify that the final map modification for map E-29, Lot 128 (TM69-0002-C3) is statutorily exempt pursuant to Section 1568(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; and
(2) Approve the modification to the recorded final map for E-29, Lot 128, subject to the conditions of approval in Attachment 1, based on the findings in Attachment 2.

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, as follows:

- 1) Certify that the final map is statutorily exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines; and**
- 2) Approve the modification to the recorded final map for E-29, Lot 128.**

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

39. [09-0121](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. Title: El Dorado Trail Improvement Project. One (1) potential case.
No Action Reported
40. [09-0119](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Interim Director of Human Resources and/or designee.
Employee Organization: El Dorado County Employee 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; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; and the El Dorado County Law Enforcement Managers Association.
No Action Reported
41. [09-0124](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of Veteran's Affairs.
No Action Reported
42. [09-0125](#) Pursuant to Government Code Section, 54957: **Public Employee Performance Evaluation:**
Title: Public Defender.
No Action Reported

ANNOUNCEMENTS

Tuesday, February 17, 2009 - 9:00 a.m. - noon - Public Open Forum
El Dorado Chamber to host an Informational Open Forum on Assembly Bills 32 and 375
in the Board of Supervisors Meeting Room.

Wednesday, February 18, 2009 - 7:00 p.m. - Town Hall Meeting
Hosted by Assembly Member Gaines in regard to Assembly Bill 885 in the Board of Supervisors Meeting Room.

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