



# County of El Dorado

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## Minutes - Final 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*

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Tuesday, May 11, 2010

8:00 AM

Board of Supervisors Meeting Room

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### 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](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.

### **8:04 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

### **9:05 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 Sweeney, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exception, Item 16 was pulled from the Consent Calendar.**

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

### **PRESENTATIONS**

1. [10-0448](#) **PRESENTATION** - Supervisor Sweeney requesting the Board authorize the Chair to sign a Proclamation recognizing the El Dorado Roses as the official hostesses of El Dorado County. (Est. Time: 5 Min.)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to adopt the proclamation.**

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

2. [10-0471](#) **PRESENTATION:** Winners of the 16th Annual Student Map Drawing Contest hosted by the County and sponsored by the local organization of professional Surveyors, Architects, Geologists and Engineers (S.A.G.E.). (Est. Time: 1 hr. 30 min.)

**No Formal Action Required.**

### **OPEN FORUM**

*NO PUBLIC COMMENT*

### **BUDGET UPDATE**

### **CONSENT CALENDAR**

3. [10-0472](#) Approval of Board of Supervisors Meeting Minutes from the Regular Meeting of Tuesday, May 4, 2010.

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

4. [10-0412](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award RFP 10-961-049 for household hazardous waste transport and disposal services to Phillips Services Company of Benicia, California;
  - 2) Make findings that it is more economical and feasible to obtain an outside contractor to provide the necessary equipment and services in accordance with County Ordinance Chapter 3.13, Section 3.13.010; and
  - 3) Authorize the Chair to execute a three (3) year agreement for same in the amount of \$240,000 upon County Counsel and Risk Management review and approval.

Company name is 21st Century Environmental Management of California, LP, a wholly-owned subsidiary of PSC, LLC formally Phillips Services Company.

**FUNDING:** Non-General Fund/County Service Area 10/Household Hazardous Waste Parcel Assessments.

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

5. [10-0403](#) County Counsel recommending that the Board approve and authorize the Chairman to sign the Agreement for legal services with the law firm of Lewis Brisbois Bisgaard and Smith, LLP for representation of the County concerning the El Dorado Hills Boulevard Interchange Project, Phase 1.2A.

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

6. [10-0430](#) Human Services Department recommending the Board approve and authorize the Chair to sign Amendment II to Agreement for Services 510-S0811 with Progress House, Inc. for the provision of therapeutic counseling and other related services on an "as requested" basis during the term of February 29, 2008 through June 30, 2011, revising and clarifying the services provided and the corresponding rates for such services and adding current standard contract language, with no change to the total not-to-exceed compensation of \$1,250,000.

**FUNDING:** 85% Federal/State Social Services allocations with 15% County match.

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

7. [10-0417](#) Human Services Department recommending the Board approve and authorize the Chair to sign a grant application for submittal to Soroptimist International of Cameron Park, requesting \$5,000 to support services to vulnerable elderly residents and their caregivers at the County's Senior Day Care center.

**FUNDING:** Soroptimist International of Cameron Park Grant.

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

8. [10-0395](#) Health Services Department recommending the Board approve and authorize the Chair to sign Budget Transfer increasing revenue and associated appropriations for the FY 2009-10 Alcohol and Drug Program budget to include the California Emergency Management Agency for Recovery Act - Justice Assistance Grant (JAG) Program in the amount of \$293,654, including an appropriation of \$3,240 for the purchase of fixed asset computer equipment as identified in the grant agreement. (4/5 vote required)

**FUNDING:** American Recovery and Reinvestment Act of 2009 funds via Cal EMA and the California Department of Alcohol and Drug Program.

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

9. [10-0386](#) Probation Department recommending the Board approve and authorize the Chair to sign Budget Transfer 2010083 transferring equity in the DNA Penalty Assessment Special Revenue Fund (SRF 7725327) from the Probation Department to the Sheriff's Office (SRF 7724354). (4/5 vote required)

**FUNDING:** Revenue received from Proposition 69.

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

10. [10-0242](#) Transportation Department recommending the Board approve and authorize the Chair to sign the 10 year Ground Lease for Portable Hangars with Ricky J. Branaugh and Daniel O'Leary 10-52932 at the Placerville Airport, Robert Bruce 10-52933, Stephen G. Cimmarusti 10-52934, and Edward Warnock 10-52935 at the Georgetown Airport. (4/5 vote required per County Ordinance 3.08.021)

**FUNDING:** Placerville and Georgetown Airports Enterprise Fund - Fee Revenue.

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

11. [10-0241](#) Transportation Department recommending the Board consider the following:
- 1) Authorize the Chair to terminate the Ground Leases with James M. Smith 128-L0611, Mike Starkey 127-L0611, Steve DeHaas and Ray Little 375-L0711, Stephens Family Trust Dated August 11, 1992 231-L0611, James F. Riordan 229-L0611, Shultz Family Trust Mitchell B. Shultz, Trustee lease dated 12-20-99, Tom Halsey 376-L0711, at the Placerville Airport and Rodger Musso 582-L0511 at the Georgetown Airport; and
  - 2) Authorize the Chair to sign the 10 year Ground Lease for Portable Hangars with Ricky J. Branaugh 10-52936, Corydon Edgecomb 10-52937, Steven DeHaas 10-52938, Jeff Jacques 10-52939, Greg McEwen and Ken Crawford 10-52940, Brandley Reinke 10-52941, Kelly Van Slate 10-52949 at the Placerville Airport and Gary Vorderbruggen 10-52942 at the Georgetown Airport. (4/5 vote required per County Ordinance 3.08.021)

**FUNDING:** Placerville and Georgetown Airports Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar.

12. [10-0407](#) Transportation Department recommending the Board consider the following:
- 1) Adopt a Resolution of Intention to Vacate; and
  - 2) Set a Public Hearing on June 15, 2010, at 9:00 a.m. for consideration of the proposed General Vacation of a portion of White Rock Road in El Dorado Hills, as described in Exhibits A, A-1, A-2, A-3 and A-4 and depicted on Exhibits B, B-1, B-2, B-3, and B-4 attached to said Resolution.

**Resolution 053-2010**

Adopted Resolution 053-2010 upon approval of the consent calendar.

13. [10-0360](#) Transportation Department recommending the Board adopt a Resolution sanctioning the road closure of Merrychase Drive from Country Club Drive to the southern entrance of Blue Oak Elementary School from 7:30 a.m. to 11:00 a.m. on Saturday, June 5, 2010, for the Blue Oak Elementary PTA's 2nd Annual "Bulldog Biathlon," subject to the conditions set forth in Resolution No. 110-79 dated May 1, 1979 and the Application for Road Closure.

**Resolution 054-2010**

Adopted Resolution 054-2010 upon approval of the consent calendar.

14. [10-0326](#) Transportation Department recommending the Board adopt a Resolution sanctioning a "rolling" road closure on Sunday, May 16, 2010 of Rattlesnake, Salmon Falls, Green Valley Road, Silva Valley Parkway and White Rock Road from 1:00 p.m. until the race enters Sacramento County at 3:00 p.m. for the 2010 Amgen Tour of California, subject to the conditions set forth in Resolution No. 110-79 dated May 1, 1979 and the Application for Road Closure.

**Resolution 055-2010**

**Adopted Resolution 055-2010 upon approval of the consent calendar.**

15. [10-0187](#) Transportation Department recommending the Board approve and authorize the Chair to sign Amendment I to Agreement for Services AGMT 08-1661 (842-S0811) with Dowling Associates, Inc. to provide traffic engineering and transportation planning services, extending the term for one additional year.

**FUNDING:** Developer Fees, TIM Fees, Road Fund and Federal and State Grants.

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

16. [09-1359](#) Transportation Department recommending the Board take the following actions regarding the Christmas Valley Phase 2B Erosion Control Project (Contract No. PW 09-30488, CIP No. 95189):
- 1) Adopt and approve the Plans and Contract Documents and authorize the Chair to sign the Plans;
  - 2) Authorize advertisement for construction bids; and
  - 3) Authorize the Director of Transportation to sign an Escrow Agreement, if needed.

**FUNDING:** United States Forest Service.

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

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

17. [10-0199](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment I to Agreement for Services AGMT 08-1683 with North State Resources, Inc. to provide environmental review services extending the term for one additional year.

**FUNDING:** Developer Fees, TIM Fees, Road Fund and Federal and State Grants

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

18. [09-1504](#) Transportation Department recommending the Board approve and authorize the Chair to sign Lease Agreement 262-L1011 with Ernest Fortino and Marie Fortino, Trustees or Successors of the 1994 Ernest Fortino and Marie Fortino Revocable Trust in the amount of \$300 per month for the term of two (2) years commencing upon execution by both parties for 15 designated parking spaces located at 1029 Takela in South Lake Tahoe.

**FUNDING:** 85% Federal/State and 15% County match primarily met with non-General Fund sources.

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

19. [10-0444](#) Transportation Department recommending the Board authorize the Chair to sign the First Amendment to Construction Responsibility and Reimbursement Agreement, AGMT 09-52686 with El Dorado Irrigation District for the relocation of water facilities associated with the Green Valley Road at Tennessee Creek - Bridge Replacement Project 77109. The First Amendment incorporates the requirements of Title 23 Part 645 of the Code of Federal Regulations into the Agreement in its entirety.

**FUNDING:** N/A

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

20. [10-0482](#) Supervisor Santiago recommending the Board approve the changes to the El Dorado County Youth Commission Bylaws.

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

**END CONSENT CALENDAR**

21. [09-0906](#) **HEARING** - Consider the recommendation of the Planning Commission on Rezone Z07-0033/Planned Development PD07-0020/Tentative Map TM07-1448 on property identified by APN 331-420-12, consisting of 24.3 acres, in the El Dorado area, submitted by Michael, Robin, and Joshua McCann; and recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the initial study prepared by staff with the revisions identified in Staff Memo dated April 20, 2010;
  - 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 Z07-0033 rezoning APN 331-420-12 from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD), based on the findings listed in Attachment 1;
  - 4) Approve Planned Development PD07-0020 adopting the Development Plan as the official Development Plan based on the findings and subject to the conditions of approval listed in Attachment 1;
  - 5) Approve Tentative Map TM07-1448 based on the findings and subject to the conditions of approval listed in Attachment 1;
  - 6) Approve the request for design waiver to reduce the sidewalks from six feet to four feet wide;
  - 7) Deny the following design waivers since appropriate findings required in Section 16.40.010 cannot be found to exist: a) to allow Lots 17, 18, 20, 21, 48, 50, 51 and 52 to have less than the required lot widths; and b) to allow flag-shaped lots on Lots 17, 18 and 51; and
  - 8) Adopt Ordinance for said rezone. (District III) (Est. Time: 45 Min.) (Cont'd 7/28/09, Item 23)

*PUBLIC COMMENT*

*S. Taylor RE: Project not good for area.*

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

- 1) **Direct the applicant to submit a revised map to Development Services that deletes the requests for design waivers, eliminates the three flag lots and shows how the other lots will be configured to meet the 60 foot required width at the road setback line;**
- 2) **If the applicant fails to submit the revised map to Development Services within 120 days, direct staff to place the item on the Board of Supervisors calendar for denial;**
- 3) **Direct staff to analyze the revised map with a focused EIR; utilizing the 2004 General Plan EIR and the various studies prepared for the McCann Mitigated Negative Declaration to the extent feasible, but doing a complete analysis of the cumulative traffic and circulation impacts that arise from this project and the other reasonably foreseeable projects in the area and especially as to its effects on Union Mine Road and Patterson Road.**

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



22. [10-0383](#) **HEARING** - Consider the recommendation of the Planning Commission on Certificate of Compliance COC09-0022 on property identified by APNs 011-030-45 and 011-030-46, consisting of 214.17 acres, in the Ice House area, submitted by Michael Kuhl, Penny Hocking, Paula Husted, Gary Williams, Tony Angulo, Sam Angulo, and Fred Angulo; and recommending the Board take the following actions:
- 1) Certify that the project is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061.b.3 of the CEQA Guidelines; and
  - 2) Approve Certificate of Compliance COC09-0022 based on the Findings and subject to the Conditions of Approval in Attachment 1. (District IV) (Est. Time: 30 min.) (4/5 Vote required)

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

- 1) Certify that the project is exempt from CEQA; and
- 2) Conditionally approve the Certificate of Compliance COC09-0022 based on the Findings and subject to the Conditions of Approval in Attachment 1 as amended.
- 3) Delete Condition 7 of the Attachment 1-Findings/Conditions of Approval;
- 4) Amend Condition 8 of the Attachment 1-Findings/Conditions of Approval to read as follows:

8. Road Easements: The applicant shall record 50' wide, non-exclusive road easements for the benefit of the property owners of the subject parcels as identified on Exhibit F so as to ensure road access to such parcels.

- 5) Add a condition that prior to recordation, the applicant is to provide to staff an acknowledgement from the appropriate overseeing State agency that the Board of Supervisors Certificate of Compliance is valid.

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

### 3:00 P.M. - TIME ALLOCATION

23. [10-0420](#) Receive an update on the Capital SouthEast Connector JPA Project from the Capital SouthEast Connector JPA Executive Director, Tom Zlotkowski. (Est. Time: 1 hr.)

No Formal Action Required

### CAO REPORTS

### ITEMS TO/FROM SUPERVISORS

### ADJOURNED AT 5:30 P.M.

**CLOSED SESSION**

- 24. [10-0145](#) 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.  
**No Action Reported.**
  
- 25. [10-0476](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Air Pollution Control Officer  
**This matter was continued to Monday, May 17, 2010.**
  
- 26. [10-0483](#) Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c):  
  
Number of potential cases: ( 1 )  
**No Action Reported.**