



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

Tuesday, June 29, 2010

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.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.

8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:51 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 Santiago, to adopt the Agenda and approve the Consent Calendar, with the following exceptions: Items 3, 26, 29, 40, 47, 50, 57, and 79 were pulled from the Consent Calendar, Items 60 and 61 were continued to July 27, 2010, and Item 79 was trailed to the end of the meeting after the closed session.

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

PRESENTATIONS

1. [10-0569](#) Supervisor Santiago recommending the Board adopt a Proclamation recognizing July 3, 2010 through July 11, 2010 as "Lake Tahoe Basin Wildfire Awareness Week." (Est. Time: 5 Min.)
No Formal Action Required.
2. [10-0712](#) Supervisor Santiago recommending the Board consider a presentation by Susan Dorsey, Executive Director, Court Appointed Special Advocate (CASA) El Dorado. (Est. Time: 15 Min.)
No Formal Action Required.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

3. [10-0696](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes from the Regular Meeting of Tuesday, June 22, 2010.
- PUBLIC COMMENT*
M. Lane
- A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to approve the minutes as presented.**
- Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago
4. [10-0654](#) Agriculture, Weights and Measures Department recommending the Board approve and authorize the Chair to sign Budget Transfer No. 2010118 which reflects new funding from California Department of Food and Agriculture to increase the Department's current year budget and associated expenditures in the amount of \$15,178 for new pest detection activities regarding the European Grapevine Moth. (4/5 vote required)
- FUNDING:** State of California, Department of Food and Agriculture (CDFA) Pest Detection/Emergency Projects.
- Approved Budget Transfer 2010118 upon approval of the consent calendar.**
5. [10-0627](#) 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 and Section 3.12.220 thereof.
- This matter was Approved on the consent calendar.**
6. [10-0714](#) Chief Administrative Office recommending the salary of the Chief Probation Officer be set at step three of the salary range effective July 3, 2010.
- FUNDING:** Probation Budget - General Fund.
- This matter was Approved on the consent calendar.**
7. [10-0670](#) Chief Administrative Office and Auditor Controller's Office recommending a transfer from Contingency in the amount of \$291,344 for payment to the State Controller's Office for under-remitted Traffic Violator School (TVS) bail from July 2002 through June 2009.
- FUNDING:** General Fund Contingency.
- Approved Budget Transfer 2010125 upon approval of the consent calendar.**

8. [10-0687](#) Chief Administrative Office recommending the Board approve a request to file an application for the 2010 Justice Assistance Grant.

FUNDING: Justice Assistance Grant.

This matter was Approved on the consent calendar.

9. [09-0807](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to extend BP20100008 to July 12, 2011 with Telfer Oil Company of Martinez, CA. for the purchase of Polymer Modified Rejuvenating Emulsion for the West Slope of El Dorado County; and authorize increases to the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the requesting Department's budget.

FUNDING: Road Fund Discretionary, Proposition 1B.

This matter was Approved on the consent calendar.

10. [10-0681](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Bid No. 10-288-074 for the purchase of Polymer Modified Rejuvenating Emulsion on the East Slope to the low qualified bidder, VSS Emultech of West Sacramento, CA;
 - 2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$174,000 for a one year period following Board approval; and
 - 3) Authorize the Purchasing Agent to increase 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.

FUNDING: Road Fund Discretionary, Proposition 1B.

This matter was Approved on the consent calendar.

11. [09-0819](#) Clerk of the Board recommending the Board adopt a Resolution superseding Resolution 146-2009 replacing the reference to Government Code Section 65511.3 with Government Code Section 68632 regarding qualifications for waiver of fees.

FUNDING: Assessment Appeals Filing Fee.

Resolution 090-2010

Adopted Resolution 090-2010 upon approval of the consent calendar.

12. [10-0493](#) Child Support Services, Revenue Recovery Division, advising the Board of current perpetual Agreement 415-S0611 with Columbia Ultimate (CUBS) for collection software licenses and support, and perpetual Memorandum of Understanding 032-M1011 with the Superior Court of California, County of El Dorado and recommending continuation of same; and authorization for the purchasing agent to encumber funds for Fiscal Year 2010-11 payments for CUBS agreement 415-S0611.

FUNDING: Charges for collection services for Superior Court and County Departments.

This matter was Approved on the consent calendar.

13. [08-1573](#) District Attorney advising the Board of perpetual Agreement 01-098-01 with the State of California, Department of Justice and recommending continuation of same for a twelve-month period retroactive to March 1, 2010 for court ordered blood draws and urine testing; and requesting Purchasing Agent increase to blanket purchase order for the process of payments for same.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

14. [10-0659](#) Environmental Management Department recommending the Board adopt a Resolution authorizing the submittal of the Used Oil Payment Program Application for Fiscal Year 2010-11 to the State of California Natural Resources Agency, Department of Resources Recycling and Recovery.

FUNDING: California Oil Recycling Enhancement Act.

Resolution 091-2010

Adopted Resolution 091-2010 upon approval of the consent calendar.

15. [10-0650](#) Environmental Management Department recommending the Board approve Budget Transfer 2010119 establishing the operating budget for the Meyers Landfill Closure for Fiscal Year 2010/11. (4/5 vote required)

Approved Budget Transfer 2010119 upon approval of the consent calendar.

16. [10-0683](#) Environmental Management recommending the Board authorize the Chair to sign the First Amendment to Agreement No. 017-A-09-10-BOS with Geosyntec Consulting Inc., changing the scope of work and the compensation sections for services related to the Meyers Landfill Cap Closure project.

FUNDING: Non General Fund Insurance.

This matter was Approved on the consent calendar.

17. [10-0636](#) Health Services Department, Mental Health Division recommending the Board authorize the Chair to sign non-financial Operational Agreement 476-O1010 with South Lake Tahoe Women's Center setting forth the roles of the Center and the Mental Health Division in providing maximum assistance for crime victims residing on the eastern slope of the County for a term of July 1, 2010 through June 30, 2013.

This matter was Approved on the consent calendar.

18. [10-0664](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 023-S1111 with Crossroads Diversified Services, Inc., in the amount of \$99,800 for the term July 1, 2010 through June 30, 2011 to provide work readiness activities and employment assistance for mentally disordered adults on an "as requested" basis for said Department.

FUNDING: State Mental Health Services Act.

This matter was Approved on the consent calendar.

19. [10-0662](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 061-S1111 with South Lake Tahoe Family Resource Center in the amount of \$136,900 for the term July 1, 2010 through June 30, 2011 to provide outreach and engagement and mental health services primarily for Latino individuals and families in South Lake Tahoe.

FUNDING: State Mental Health Services Act.

This matter was Approved on the consent calendar.

20. [10-0667](#) Health Services Department recommending the Board authorize the Chair to sign Amendment 1 (A01) to Agreement 09-11270 with the State of California Department of Public Health, Immunization Branch, contingent upon review and approval by County Counsel; this Amendment adds supplemental Terms and Conditions specific to the American Recovery and Reinvestment Act funding received by the State and being used to fund the local immunization programs.

FUNDING: State pass-through of American Recovery and Reinvestment Act funds.

This matter was Approved on the consent calendar.

21. [10-0661](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 020-S1111 with Family Connections El Dorado, Inc., in the amount of \$107,400 for the term July 1, 2010 through June 30, 2011 to provide outreach and support services primarily for Latino individuals and families on the Western Slope.

FUNDING: State Mental Health Services Act.

This matter was Approved on the consent calendar.

22. [10-0564](#) Health Services Department recommending the Board approve the Driving Under the Influence application for Tahoe Turning Point to seek a license with the California Department of Alcohol and Drug Programs to provide counseling and education services for South Lake Tahoe clients who have been convicted of a Driving Under the Influence offense.

This matter was Approved on the consent calendar.

23. [10-0586](#) Health Services Department recommending the Board authorize the Chair to sign Agreement 018-125-P-E2010 with California Forensic Medical Group for the term July 1, 2010 through June 30, 2013, for medical services in the two (2) adult detention facilities, the Juvenile Hall and the Juvenile Treatment Center; the total not-to-exceed amount for fiscal year (FY 2010-11) is \$2,743,845.26 and includes base rates for adult and juvenile facilities, reimbursement for use of the Contractor's PPO plan (used to obtain discounted rates when reimbursing physician fees during hospitalizations), and any per diem payments should the average daily population exceed the maximum specified by the Agreement.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

24. [10-0672](#) Health Services Department recommending the Board authorize the Chair to sign Agreement 054-105-P-R2010 with First 5 El Dorado Children and Families Commission in the amount of \$430,000 for the term July 1, 2010 through June 30, 2011, to provide access to medical and dental care for children ages 0-5 years.

FUNDING: First 5 El Dorado Children and Families Commission.

This matter was Approved on the consent calendar.

25. [10-0632](#) Health Services Department, Mental Health Division recommending the Board authorize the Chair to sign Amendment I to Agreement 364-S0811 with New Morning Youth and Family Services, amending compensation provision to allow a decrease in rates should costs be lower than those rates listed in the Agreement or previously authorized per the terms of the Agreement. There is no change in the term of the Agreement, which is January 1, 2008 through December 31, 2010.

FUNDING: Funding is provided by Medi-Cal/Early and Periodic Screening, Diagnosis and Treatment (EPSDT) and Realignment, as determined by the funding sources available and appropriate for each youth served by this provider.

This matter was Approved on the consent calendar.

26. [10-0612](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 400-S1011 with Milhous Children's Services in the amount of \$150,000 for the term July 1, 2010 through June 30, 2011 to provide specialty mental health services for seriously emotionally disturbed minors on an as requested basis for said Department.

NO PUBLIC COMMENT

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

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

27. [10-0646](#) Department of Human Services recommending the Board authorize the Chair to sign Modification 1 to Contract K074139-01 with Golden Sierra Job Training Agency to extend the term through June 30, 2011 for continuation of Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and the Director of Human Services, or successor, be authorized to execute subsequent documents relating to said contract, including amendments thereto that do not affect the dollar amount or the term, and required fiscal and programmatic reports.

FUNDING: Federal Workforce Investment Act Allocation.

This matter was Approved on the consent calendar.

28. [10-0653](#) Department of Human Services recommending the Board adopt a resolution authorizing the Chair to sign State Grant Agreement MS-1011-35 in the amount of \$291,380 and the accompanying Contractor/Vendor Confidentiality Statement and Contractor Certification Clauses (CCC307), with the California Department of Aging for the provision of the Multipurpose Senior Services Program during the term July 1, 2010 through June 30, 2011; and authorizing the Director of the County of El Dorado Area Agency on Aging to execute further documents relating to Agreement MS-1011-35, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and to sign subsequent required fiscal and programmatic reports.

FUNDING: Federal and State Grant Funds.

Resolution 092-2010

Adopted Resolution 092-2010 upon approval of the consent calendar.

29. [10-0640](#) Department of Human Services advising the Board of ninety-seven (97) current perpetual agreements for services and memoranda of understanding as listed on Attachment A 10-0640.A.1-9 and recommending the Board:
- 1) Authorize continuation of said agreements, and
 - 2) Authorize the Purchasing Agent to establish blanket purchase orders to process associated payments for Fiscal Year 2010-11.

FUNDING: The majority of the perpetual agreements for services are funded primarily with Federal and State allocations or grants with County share of cost or required match met with Realignment or other non-General Fund resources.

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

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

30. [10-0660](#) Department of Human Services recommending the Board authorize the Chair to sign non-standard, non-financial Memorandum of Agreement 057-M1111 with Sacramento County Department of Human Assistance (Sacramento County) for a term of July 1, 2010 through June 30, 2015, setting forth the roles and responsibilities of Sacramento County and the Department of Human Services in implementing the Cash Assistance Program for Immigrants.

This matter was Approved on the consent calendar.

31. [10-0642](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment I to Agreement for Services 484-S0911 with the El Dorado County Office of Education for the provision of Child Abuse Prevention Council Coordinator services, adding Article XXIX requiring fingerprinting of El Dorado County Office of Education staff and volunteers, extending the term for one year through June 30, 2011 and increasing the maximum compensation by \$113,850 for FY 2010-11 services, for a not-to-exceed amount of \$291,625 during the contract term that commenced on January 1, 2009.

FUNDING: Agreement is 100% funded by the County of El Dorado's Children's Trust Fund and a portion of the annual State CAPIT Allocation.

This matter was Approved on the consent calendar.

32. [10-0614](#) Human Resources and the Department of Transportation recommending the Board adopt a Resolution to establish a job classification, specification, salary range and bargaining unit for the Engineering Student Intern extra help classification.

Resolution 093-2010

Adopted Resolution 093-2010 upon approval of the consent calendar.

33. [10-0678](#) Human Resources Department recommending the Board authorize the Chair to sign Letter of Agreement to memorialize extending the agreement reached with the El Dorado County Employees Association, Local No. 1 representing employees in the General, Professional, and Supervisory bargaining units, through their duly authorized representatives to amend Article 7, Section 13 of the Memorandum of Understanding.

This matter was Approved on the consent calendar.

34. [10-0675](#) Human Resources, Risk Management Division, recommending the Board:
- 1) Approve the County's participation in the Federal Department of Health and Human Services Early Retiree Reinsurance Program; and
 - 2) Authorize the Human Resources Director, or Principal Risk Management Analyst, to sign necessary applications and agreements to participate in the program.

This matter was Approved on the consent calendar.

35. [10-0626](#) University of California Cooperative Extension recommending the Board authorize the Chair to sign Amendment 2 to Agreement ELDO200801 with the Regents of the University of California in the amount of \$38,026 for the term July 1, 2010 through June 30, 2011 to continue shared funding of the 4-H Youth Development Program Coordinator position, noting funds will be dispersed as a single payment.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

36. [10-0629](#) University of California Cooperative Extension recommending the Board authorize the Chair to sign Amendment 4 to Agreement No. 2007-ELDO-01 with the Regents of the University of California in the amount of \$32,496 for the term of July 1, 2010 through June 30, 2011 to fund a Program Representative for Volunteer Programs position, noting funds will be dispersed as a single payment.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

37. [10-0597](#) Department of Transportation recommending that the Board adopt a Resolution to sanction the closure of Marshall Road between Garden Valley Road and Greenwood Road in Garden Valley on Sunday, July 4, 2010, between 10:00 a.m. and 11:00 a.m. for the "Garden Valley Annual 4th of July Parade and Celebration," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 094-2010

Adopted Resolution 094-2010 upon approval of the consent calendar.

38. [10-0509](#) Department of Transportation recommending the Board adopt a Resolution to sanction the closure of Pony Express Trail between Sly Park Road and Sanders Drive, with partial road closures at the intersections of Forebay Road, Oak Street, North Street, Polaris Street, Laurel Drive and Sanders Drive, on Sunday, July 4, 2010, between 12:00 p.m. to 1:00 p.m. for the "Pollock Pines 4th of July Parade," subject to conditions set forth in Resolution No. 110-79, and conditions set forth in the "Application for Road Closure."

Resolution 095-2010

Adopted Resolution 095-2010 upon approval of the consent calendar.

39. [10-0618](#) Department of Transportation recommending that the Board adopt a Resolution to sanction the closure of Pleasant Valley Road, between Leisure Lane and Mt. Aukum Road in Pleasant Valley, on Sunday, July 4, 2010, between 11:00 a.m. and 1:00 p.m., for the "Pleasant Valley 4th of July Parade," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 096-2010

Adopted Resolution 096-2010 upon approval of the consent calendar.

40. [10-0378](#) Department of Transportation recommending the Board adopt a resolution increasing the fees and land use rates effective July 1, 2010 for the Placerville and Georgetown Airports.

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

Resolution 097-2010

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 097-2010.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Noes: 1 - Santiago

41. [10-0523](#) Department of Transportation recommending the Board approve a one-year renewal of Facility Use Agreement 740-O0610 with Pollock Pines Recreation Unlimited, Inc. in the amount of \$487.64 per month commencing July 1, 2010 through June 30, 2011 for the Department of Human Services, Senior Nutrition Program's continued use of the facility located at 5581 Gail Street in Pollock Pines.

FUNDING: State and Federal Grant Funds, Participant Donations, and General Fund.

This matter was Approved on the consent calendar.

42. [10-0522](#) Department of Transportation recommending the Board approve and authorize the Chair to sign Amendment I to Facility Use Agreement 744-L0711 with Mother Lode Lions Club in the amount of \$1,591.81 per month for lease space located at 4701 Missouri Flat Road in Diamond Springs for an additional one (1) year term commencing on July 1, 2010 and ending June 30, 2011 for the Senior Nutrition Program, noting this amendment includes a change in the hours of operation and the two (2%) percent annual increase.

FUNDING: State, Federal, Donations, and General Fund.

This matter was Approved on the consent calendar.

43. [10-0616](#) Department of Transportation recommending the following pertaining to Parcel Map Improvement Agreement AGMT No. 08-52577 concerning improvements as described in Lee Parcel Map P06-0017:
- 1) Accept the constructed improvements as substantially complete;
 - 2) Reduce Performance Bond No. 4371243 to \$14,053.61, which is ten percent of the total cost of improvements to guarantee against defective work, labor done or defective materials furnished and release after one year if no claims are made; and
 - 3) Hold Laborers and Materialsmen Bond No. 4371243 in the amount of \$70,268.03 to guarantee payment to persons furnishing labor, materials or equipment and release in six months if no claims are filed.

FUNDING: Developer funds - United Property & Investment, LLC.

This matter was Approved on the consent calendar.

44. [10-0251](#) Department of Transportation recommending the Board authorize the Director of Transportation to sign and submit a claim to the El Dorado County Transportation Commission in the amount of \$280,000 of currently available Regional Surface Transportation Program Exchange Funding for various overlay projects.

Funding: Regional Surface Transportation Program Exchange.

This matter was Approved on the consent calendar.

45. [10-0554](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of preliminary title reports to commence the design process for the Boulder Mountain Erosion Control Project, No. 95153, affecting portions of the following subject parcels: APN 033-561-03, Alvin P. Julian, Trustee; APN 033-561-02, Ruth Orozco; and APN 033-563-02, Walter L. and Marie Dunajski.

FUNDING: United States Forest Service Planning Grant.

This matter was Approved on the consent calendar.

46. [10-0567](#) Department of Transportation recommending the following pertaining to the Mosquito Road Bridge at South Fork American River Project No. 77120:
- 1) Adopt and approve plans and authorize the Chair to sign the plans;
 - 2) Determine that the proposed work required of replacing 90% of the deck and bottom chord truss timbers, railings and associated hardware may be accomplished pursuant to Public Contract Code, Section 20395(c) in that the County shall perform the work by purchasing the materials and having the work performed by day labor, in which case advertising for bids is not required;
 - 3) Authorize the Director of Transportation to perform the proposed work required for the replacement of 90% of the deck and bottom chord truss timbers, railings and associated hardware using County staff/maintenance workers as day labor; and
 - 4) Authorize the Director of Transportation to close the bridge for ten (10) weeks to make repairs and structural replacements and detour traffic.

FUNDING: Highway Bridge Program and Regional Surface Transportation Program.

This matter was Approved on the consent calendar.

47. [10-0603](#) Department of Transportation recommending the Board of Supervisors take the following actions pertaining to the Saratoga Way Extension Project:
- 1) Certify that:
 - a) The Environmental Impact Report on the Saratoga Way Extension Project dated May 2010 has been completed in compliance with the California Environmental Quality Act;
 - b) The Board has reviewed and considered the information within the Environmental Impact Report prior to approving the project; and
 - c) The Environmental Impact Report reflects the independent judgment of the Board as adequate to approve the project.
 - 2) Adopt the Findings of Fact Related to the Certification of the Environmental Impact Report on the Saratoga Way Extension Project dated May 2010.
 - 3) Adopt the Mitigation Monitoring Plan.
 - 4) Approve the project as described in this staff report and in the Environmental Impact Report.

FUNDING: Transportation Impact Mitigation Fees.

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

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Noes: 1 - Santiago

48. [09-0952](#) Department of Transportation recommending the following pertaining to the Durock Road/Business Drive Intersection Signalization Project No. 73354:
- 1) Adopt and approve the Plans and Contract Documents and authorize the Chair to sign the Plans, subject to County Counsel and Risk Management review and approval of the Plans and Contract Documents;
 - 2) Authorize advertisement for construction bids;
 - 3) Authorize the Director of said Department to make minor changes, and to issue addenda, as necessary, during the advertisement process; and
 - 4) Authorize Director of said Department to approve temporary road closures and detours to accommodate construction staging.

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

This matter was Approved on the consent calendar.

49. [10-0680](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Trading Partner Agreement for BOE Motor Fuels Electronic Filing Program with the State of California, Board of Equalization, for the period commencing July 1, 2010 and perpetually thereafter.
 - 2) Authorize the Purchasing Agent to sign the State's Trading Partner Agreement.

This matter was Approved on the consent calendar.

50. [10-0429](#) Department of Transportation recommending the Board authorize the chair to sign the Budget Transfer 2010130 increasing revenue and appropriations for FY 2009-10 for the following: the West Valley Traffic Impact Mitigation Fee Prepay account, the Road Fund, and the Cascade Drainage Zone Special District, to enable the department to process transactions within the appropriate fiscal year.

FUNDING: Existing funds in the West Valley Traffic Impact Mitigation Fee Prepay account and the Cascade Drainage Zone Special District account.

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to trail this item to be heard with Item 64.

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

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve Budget Transfer 2010130.

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

51. [10-0443](#) Sheriff's Department requesting the Board authorize the purchase of fixed asset boating equipment (Personal Water Craft) prior to the approval of the adopted budget in September due to the grant requirement that all money be expended prior to September 30, 2010.

FUNDING: State of California Boating and Waterways Equipment Grant.

This matter was Approved on the consent calendar.

52. [10-0574](#) Consider a request submitted by Jeff and Deborah Burch appealing the approval of Special Use Permit S09-0015/SBA Cellular Telecommunications Facility-Garden Valley by the Planning Commission on May 13, 2010 on property identified by APN 088-420-06, consisting of 5.033 acres, in the Garden Valley area; and Planning Services recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and
 - 2) Deny the appeal, thereby upholding the approval of Special Use Permit S09-0015 by the Planning Commission on May 13, 2010 based on the Findings and subject to the Conditions of Approval listed in Attachment 1. (Supervisory District IV) (Cont'd 6-22-10, Item 32)

The Board took the following action upon approval of the Consent Calendar:

- 1) Adopt the Mitigated Negative Declaration; and**
- 2) Deny the appeal, thereby upholding the approval of Special Use Permit S09-0015 by the Planning Commission on May 13, 2010 based on the Findings and subject to the Conditions of Approval listed in Attachment 1, revising Condition of Approval/Mitigation Measure No.2 and adding new Condition of Approval No. 27 to read as noted below:**

No. 2. NOISE-1: To avoid having project noise levels exceed the General Plan noise standards, The project's equipment shelter shall be rotated 90 degrees counterclockwise putting the two air conditioners and emergency backup generator on the east side of the equipment shelter, as shown in Figure 4 as shown in the Noise Analysis Report for Verizon Coloma, dated February 25, 2010, and prepared by Kimley-Horn and Associates.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Planning Services shall verify that the air conditioners and emergency generator are placed in the prescribed location prior to issuance of final occupancy for the building permit. A post-construction acoustical analysis shall be provided to Planning Services for review and approval that confirms that the project site meets the General Plan noise standards prior to issuance of final occupancy. In addition, monitoring shall also include measurements of the noise generated from the project at up to 10 homes upon the invitation of the property owner prior to finalizing the permit. A copy of all noise measurements taken shall be provided to Planning Services for noise compliance verification.

No. 27. The applicant shall pay to anyone road maintenance association that is legally formed to maintain Sagebrush Road, the sum of \$10,000 to be used towards improvements or to maintain Sagebrush Road.

53. [10-0457](#) Department of Transportation recommending Board Chair be authorized to terminate the Ground Leases with John Wetsel dated October 18, 1993, Lawrence E. Alleman, Trustee of the Alleman Family Trust Dated March 13, 1992 09-52869, at the Placerville Airport and Ben Hollingsworth 132-L0611 at the Georgetown Airport; and recommending the Board authorize the Chair to sign the 10 year Ground Lease for Portable Hangars with Dennis Thomas 10-52971, Mike Worth 10-52972 at the Placerville Airport and Randy Johnson 10-52975 at the Georgetown Airport. (4/5 vote required)

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

This matter was Approved on the consent calendar.

54. [10-0398](#) Department of Transportation recommending the Board approve and authorize the Chair to sign the 10 year Ground Lease for Portable Hangars with Richard Moorhouse 10-52981 at the Placerville Airport and Robert Bement 10-52973 at the Georgetown Airport. (4/5 vote required)

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

This matter was Approved on the consent calendar.

55. [10-0677](#) Recorder-Clerk requesting the Board of Supervisors authorize the Chair to sign a Memorandum of Understanding with the California Department of Public Health for the provision of marriage data to the State; the Memorandum of Understanding is estimated to generate \$10,345 in revenue to cover the County's expense related to providing the data.

FUNDING: Revenue-generating to Recorder-Clerk (General Fund).

This matter was Approved on the consent calendar.

Board of Supervisors - Consent

56. [10-0709](#) Supervisor Nutting recommending Richard D. Mason be appointed to serve as the District II Representative on the El Dorado County Assessment Appeals Board for a term to expire September 1, 2014.

This matter was Approved on the consent calendar.

57. [10-0682](#) Supervisor Sweeney recommending the Board adopt a resolution authorizing the El Dorado County Museum to pursue development and operation of the El Dorado Western Railway, as a living history program of the El Dorado County Historical Museum.

A motion was made by Supervisor Sweeney to adopt the Resolution. The motion died for a lack of a second.

A motion was made by Supervisor Knight, seconded by Supervisor Nutting, to direct staff to work with Trails Advisory Commission and Parks and Recreation Commission return to the Board on August 3, 2010 with a satisfactory resolution.

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney

58. [10-0669](#) Supervisors Briggs and Nutting requesting the Board adopt a Proclamation recognizing the Rose Garden in Town Center, El Dorado Hills as "Sandra's Rose Garden."

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

59. [10-0641](#) HEARING - Consider the Public Housing Authority recommending the Board, as the Governing Board of the El Dorado County Public Housing Authority, conduct a Public Hearing:

1) Approve and authorize submittal of an application for Rental Assistance for Non-Elderly Persons with Disabilities to the U.S. Department of Housing and Urban Development (HUD) for up to 50 vouchers under the County's ongoing Section 8 Housing Choice Voucher Program to assist non-elderly families/individuals with disabilities in obtaining affordable housing by expanding services to additional qualified households; and
2) Authorize the Department of Human Services Director, as the Executive Director of the Public Housing Authority, to execute the grant award, if funded and to sign subsequent amendments, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or term, and other documents including programmatic, and fiscal reports related to the Rental Assistance for Non-Elderly Persons with Disabilities Program. (Est. Time: 5 Min.)

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

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

60. [10-0607](#) HEARING - Consider adoption of Resolution revising the Development Services Department's Planning Services Fee Schedule, including Policies and Procedures. (Est. Time: 30 Min.)

This matter was continued to July 27, 2010 upon approval of the consent calendar.

61. [10-0617](#) HEARING - Consider adoption of Resolution revising Building Fee Schedule. (Est. Time: 30 Min.)

This matter was continued to July 27, 2010 upon approval of the consent calendar.

62. [10-0630](#) County Counsel presenting proposed ballot language for an amendment to Section 602 of the El Dorado County Charter for the Board's consideration. (Cont'd 6-15-10, Item 18) (Est. Time: 20 Min.)

Resolution 098-2010

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

- 1) Adopt Resolution 098-2010, amending the ballot question to read as follows: "Shall Section 602 of the El Dorado County Charter, which currently requires the procurement of all services to be pursuant to a written contract, be amended to provide the Board of Supervisors with the authority to allow the procurement of services for less than \$15,000 without the need for a written contract; provided, that the Board of Supervisors does so by ordinance which specifies alternate procedures for processing and documenting the purchases?"
- 2) Direct staff to transmit the Resolution to the Registrar of Voters.

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

A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to direct staff to return to the Board on July 20, 2010 with a ballot argument in favor of Charter Amendment to be signed by the Chair on behalf of the Board.

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

63. [10-0720](#) Supervisor Knight recommending discussion and clarification related to expiration of Road Improvement Agreement 07-1418 La Crescenta Associates and determination as to whether the Road Improvement Agreement was terminated at such time as the time for performance expired, May , 2009 therefore allowing the surety bonds to be released. (Est. Time: 20 Min.)

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

- 1) Authorize the Chair to sign a mutual termination agreement to be drafted by County Counsel retroactive to May 2009; and
- 2) Direct the Board Clerk to release the bond upon receipt of the executed agreement.

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

2:00 P.M. - TIME ALLOCATION

64. [10-0496](#) Department of Transportation recommending the Board authorize the Department to loan up to \$1,990,000 from the Zones 1-7 Traffic Impact Mitigation Fee fund to the Zone 8 Traffic Impact Mitigation Fee fund to construct the Silva Valley Parkway Widening Project and the White Rock Road Widening - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project. (Cont'd 6-15-10, Item 16)

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program.

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

- 1) Continue this matter off calendar; and
- 2) Direct staff to continue working on the State and Local Partnership Program and report back in July 2010.

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

65. [10-0686](#) Department of Transportation informing the Board that the five grants which were submitted to the Off Highway Motor Vehicle Recreation Division for improvements to the Rubicon Trail have been approved and are in the intent to award phase and recommending that the Board:
- 1) Approve the maintenance activities identified herein;
 - 2) Authorize the Department of Transportation to prepare the stage for work now in anticipation of the final grant award in July; and,
 - 3) Authorize the Department of Transportation to use SMUD funds as a match for the grants. (Est. Time: 15 Min.)

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

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

66. [10-0663](#) Department of Transportation recommending the Board:
- 1) Approve of the proposed plan for the design, development, and construction of the new Animal Shelter Facility at the Shinn Ranch location; and
 - 2) Direct said Department to undertake Phase 1 of the plan, including amending the original purchase agreement for the Shinn property in order to finalize the alignment of the access road to the Facility, constructing the access road to the facility location, and doing the necessary site improvements. (Est. Time: 1 Hr.) (Cont'd 6/29/10, Item 66)

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to continue this matter to July 20, 2010.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNED AT 6:47 P.M.

CLOSED SESSION

67. [10-0658](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b):
Title: Environmental Document for Saratoga Connection
Number of potential cases: (1).
No Action Reported.
68. [10-0671](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b);

Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1).
No Action Reported.
69. [10-0684](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Tanya Hunt v. County of El Dorado, et al., U.S. District Court, Eastern District of California, Case No. 2:10-CV-01367-FCD-KJM.
No Action Reported.
70. [10-0685](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Johnny R. Ribeiro v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20050591.
The Board by a unanimous vote decided to appeal the decision in the case.
71. [10-0652](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Chief Administrative Officer. (Cont'd 6-22-10, Item 33)
No Action Reported.

72. [10-0151](#) 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.
73. [10-0715](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: MV Transportation, Inc. v. South Tahoe Area Transit Authority, et al., El Dorado County Superior Court, case No. SC20100154.
The Board on a unanimous vote authorized County Counsel to defend this action.
74. [10-0717](#) 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).
No Action Reported.
75. [10-0718](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Legal Issues Relating to Rare Plants. Number of potential cases: (1).
No Action Reported.
76. [10-0719](#) Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1).
No Action Reported.

ADDENDUM**CLOSED SESSION:**

77. [10-0740](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Central Valley Regional Water Quality Control Board - Clean up and Abatement Order No. R5-2009-0030 (Rubicon Trail); Petition of U.S. Forest Service to State Water Board, No. SWRCB/OCC File A-2017.

No Action Reported.

CONSENT CALENDAR:

78. [10-0734](#) Human Resources Department, Risk Management Division, recommending the Board approve a Budget Transfer increasing revenue and appropriations in the Risk Management special revenue fund in the amount of \$700,000 to fund the County's Health Plan (4/5 vote required).

Approved Budget Transfer upon approval of the consent calendar.

79. [10-0504](#) Department of Transportation recommending Chair be authorized to sign:
- 1) Agreement for Services No. AGMT10-52988 with South Tahoe Area Transit Authority (STATA) for an estimated amount of \$181,343 for the term of July 1, 2010 through June 30, 2012 to provide for the Operation and Funding of BlueGO Oncall Demand Responsive Transit Services in the South Lake Tahoe Basin, contingent on County Counsel approval;
 - 2) Adopt Resolution authorizing Department of Transportation to file Claims for 2010/2011 Transportation Development Act (TDA), Local Transportation Funds (LTF) for operation of the South Lake Tahoe Transit Program;
 - 3) Claim to the Tahoe Regional Planning Agency (TRPA) for LTF in the amount of \$196,343.

FUNDING: Transportation Development Act (TDA).

Resolution 099-2010

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

- 1) Deny the approval of Agreement for Services No. AGMT10-52988;
- 2) Adopt Resolution 099-2010 as amended authorizing Department of Transportation to file Claims for 2010/2011 Transportation Development Act (TDA), Local Transportation Funds (LTF) for operation of the South Lake Tahoe Transit Program; and
- 3) Approve the claim to the Tahoe Regional Planning Agency (TRPA) for LTF in the amount of \$196,343.

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

80. [10-0722](#) Department of Transportation recommending the following pertaining to the Crack Repair and Slurry Seal West Hangar and Apron Area, Remark Runway Blast Pads, and Construct Runway Exit Taxiway B for the Placerville Airport Project (Contract No. PW 10-30534, CIP No. 93123, AIP 3-06-0188-13):
- 1) Adopt and approve the Plans and Contract Documents and authorize the Board Chair to sign the Plans and Bid documents subject to County Counsel and Risk Management review, minor modifications, and approval;
 - 2) Authorize advertisement for construction bids.

FUNDING: Federal Aviation Administration and Placerville Airport Enterprise Fund.

This matter was Approved on the consent calendar.

DEPARTMENT MATTERS:

81. [10-0742](#) Chief Administrative Officer notifying the Board of her participation on the Sacramento Regional Managers Group Working on Pension Reform and requesting the Board approve the attached product of the group entitled "Guiding Principles and Recommendations for Pension Reform" as a platform to guide the County's position relative to Pension Reform.

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

- 1) Receive and File the document;
- 2) Direct the County Administrative Officer to continue with this effort on a regional basis such that we might have pension reform throughout the state; and
- 3) Advise Human Resource Department to review these items as a potential for negotiations with our bargaining units.

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