



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, October 6, 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.edcgov.us subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

8:00 A.M.

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

Absent: 1 - Supervisor Santiago

10:31 A.M.

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

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 exceptions: Items 3 and 16 were pulled from the Consent Calendar.

Yes: 4 - Knight, Sweeney, Nutting and Briggs

Absent: 1 - Santiago

OPEN FORUM

PUBLIC COMMENT

L. Brent-Bumb RE: Placerville Area Convergence Team meeting on October 9, 2009.

10:00 A.M. - TIME ALLOCATION

1. [09-1173](#) Transportation Department recommending that, regarding the U.S. 50/High Occupancy Vehicle (HOV) Lane projects, the Board direct the Department to:
 - (1) Make no revisions to the 2009 Capital Improvement Program at this time;
 - (2) Work with the County's Auditor/Controller, Chief Administrative Office, County Counsel and Treasurer/Tax Collector to explore the potential to securitize the revenue stream from the Shingle Springs Band of Miwok Indians payments to the County;
 - (3) Work with Caltrans to see if grant funding can be secured for any/all of U.S. 50/High Occupancy Vehicle Lane Project Phases 2A, 2B, and 3; and
 - (4) Return to the Board with more information during the 2010 Capital Improvement Program update.

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

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

BUDGET UPDATE**CONSENT CALENDAR**

2. [09-1246](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, September 29, 2009.

Approved as amended, Item No. 9 is to read, Adopt Ordinance 4829, upon approval of the consent calendar.
3. [08-1513](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board: (1) Authorize the Purchasing Agent to extend Blanket Purchase Order 290360 for one additional twelve-month term to expire on November 5, 2010 for the purchase of diesel fuel in the amount of \$640,000 to the low qualified bidder, Hunt and Sons, Inc. of Placerville, CA; and (2) 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: Non-General Fund (Road Fund Discretionary).

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

Yes: 4 - Knight, Sweeney, Nutting and Briggs

Absent: 1 - Santiago

4. [09-1211](#) Chief Administrative Office, Procurement and Contracts Division, presenting a 1990 Peterbilt Tractor Truck (County tag number 200178) as 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.

5. [09-1224](#) Health Services Department recommending the Board ratify the Director's signature on Modification B-1 to the County's Mental Health Services Act (MHSA) Agreement 07-77309-000 with the State of California, Department of Mental Health, extending the term of the Agreement through June 30, 2013.

FUNDING: State Mental Health Services Act (MHSA) Funds.

This matter was Approved on the consent calendar.

6. [09-1210](#) Health Services Department, Mental Health Division (MHD), recommending the Board authorize the Health Services Director to sign and submit the County Certification for the Mental Health Services Act (MHSA) Community Services and Supports (CSS) Plan Update for Fiscal Year 2009/10, noting the Fiscal Year 09/10 MHSA allocation will be available to fund MHSA programs for the entire 09/10 Fiscal Year.

FUNDING: State Mental Health Services Act (MHSA) Funds.

This matter was Approved on the consent calendar.

7. [09-1123](#) Health Services Department recommending Chairman be authorized to sign a letter addressed to the State of California, Department of Alcohol and Drug Program relinquishing the County's Drug Medi-Cal contract with the State, and authorizing the local alcohol and drug service providers to contract directly with the State for Drug Medi-Cal funding.

FUNDING: State of California Drug Medi-Cal.

This matter was Approved on the consent calendar.

8. [09-1193](#) Health Services Department, Mental Health Division (MHD), recommending Chairman be authorized to sign retroactive Agreement 026-S1011 with Family Connections El Dorado, Inc. in the amount of \$103,500 for the term July 1, 2009 through June 30, 2010 to provide outreach and support services primarily for Latino individuals and families on the Western Slope.

FUNDING: State Mental Health Services Act (MHSA).

This matter was Approved on the consent calendar.

9. [09-1227](#) Health Services Department, Mental Health Division (MHD), recommending Chairman be authorized to sign retroactive Agreement 030-S1011 (144-MHD0409) with South Lake Tahoe Family Resource Center in the amount of \$136,900 for the term July 1, 2009 through June 30, 2010 to provide outreach and support services primarily for Latino individuals and families in South Lake Tahoe.

FUNDING: State Mental Health Services Act (MHSA).

This matter was Approved on the consent calendar.

10. [09-1228](#) Human Services Department recommending adoption of Resolution authorizing the Chairman to sign Contract 09F-5110 with the California Department of Community Services and Development (CSD) in the amount of \$175,375, for the term July 1, 2009 through September 30, 2010 for provision of Community Services Block Grant American Recovery and Reinvestment Act (CSBG ARRA) program services; and authorize the Director of said Department, or successor, to execute further documents relating to said Contract, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, to sign subsequent required fiscal and programmatic reports and to perform any and all administrative responsibilities in relationship to said Contract; and further, authorize the Chairman to sign an amendment to the El Dorado County CSBG ARRA Local Plan that changes the use of CSBG ARRA funds from administrative activities to program activities for submittal to CSD.

FUNDING: Federal American Recovery and Reinvestment Act
Community Services Block Grant Funds.

Resolution 222-2009

Adopt Resolution 222-2009 upon approval of the consent calendar.

11. [09-1198](#) Probation Department requesting the Board receive and file the annual Juvenile Justice Crime Prevention Act (JJCPA) Progress Report for the El Dorado County's Alliance to Reduce Truancy (CART) program for Fiscal Year 2008/2009.
- FUNDING:** Juvenile Justice Crime Prevention Act (JJCPA) and County's Alliance to Reduce Truancy (CART).
- This matter was Approved on the consent calendar.**
12. [09-1192](#) Recorder-Clerk recommending the Chairman be authorized to sign Amendment IV to Memorandum of Understanding (AGR-384-M0610) with the California Department of Justice (DOJ) in the amount of \$2,944.82 for the Electronic Recording Delivery System.
- FUNDING:** Recorder-Clerk Special Revenue ERDS 7728306.
- This matter was Approved on the consent calendar.**
13. [09-1203](#) Sheriff's Office recommending the Board accept, with thanks, the receipt of law enforcement equipment for the Sheriff's Special Weapons and Tactics (SWAT) Unit from the Sheriff's Posse of El Dorado County, a volunteer organization.
- FUNDING:** Donation from the Sheriff's Posse of El Dorado County.
- This matter was Approved on the consent calendar.**
14. [09-1107](#) Transportation Department recommending Chairman be authorized to sign Notice of Acceptance with Correa Construction for the Sawmill 1B Bike Path Project (JN 95148).
- FUNDING:** This Project was funded by the California Tahoe Conservancy (CTC) and Tahoe Regional Planning Agency (TRPA) Air Quality Mitigation Funds, no fiscal impact.
- This matter was Approved on the consent calendar.**
15. [09-1209](#) Transportation Department recommending Chairman be authorized to sign Lease Agreement 159-L1011 with Emerald Bay Properties, LLC in the amount of \$1.25 per square foot for 3,024 square feet for a total amount of \$3,780 per month for the term commencing October 1, 2009 and ending September 30, 2012 for office space located at 924 Emerald Bay Road in South Lake Tahoe, upon approval by County Counsel and Risk Management.
- FUNDING:** Department of Child Support Services.
- This matter was Approved on the consent calendar.**

16. [09-1247](#) Chief Administrative Office recommending Chairman be authorized to sign letter to the California State Park and Recreation Commission in support of the Sutter's Mill reconstruction and relocation project, and general plan amendment for Marshall Gold Discovery State Park.

FUNDING: N/A

PUBLIC COMMENT

A. Marinaccio RE: Tax payers Association General Plan Folsom Lake area and Coloma Park. Opportunity to change what the State Parks do. Make the park an important part of our community and economy.

M. Lane RE: All structures in the park need maintenance. Prior docent injured due to poor maintenance. Encourage the community to get involved in the plan.

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to authorize the Chairman to sign the letter as amended.

Yes: 3 - Knight, Nutting and Briggs

Noes: 1 - Sweeney

Absent: 1 - Santiago

17. [09-1255](#) Chief Administrative Office recommending the Board ratify signatures and approve letter to Senator Dave Cox in support of Senate Bill 67.

FUNDING: N/A

This matter was Approved on the consent calendar.

BOARD OF SUPERVISORS CONSENT

18. [09-1244](#) Supervisor Knight recommending Dale Cogan be appointed to serve as a member on the Cameron Park Design Review Committee for a term to expire on January 1, 2011.

This matter was Approved on the consent calendar.

19. [09-1258](#) Supervisor Santiago recommending the Board of Supervisors regular meeting scheduled on Tuesday, November 10, 2009, be held from 9:00 a.m. to 5:00 p.m. at the South Lake Tahoe City Council Chambers located at the South Lake Tahoe Airport, 1901 Airport Road in South Lake Tahoe.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

20. [09-1230](#) Chief Administrative Office recommending the Board approve the employees eligible to receive the County's Early Retirement Incentive Plan.
- PUBLIC COMMENT*
G. Copeland RE: Support of this plan. Sending out a survey to identify if there are other employees who wish to take advantage of this program.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows:**
- 1) Approve the six early retirement incentives resulting in position eliminations; and
 - 2) Conceptually approve the Veterans' Services Officer's early retirement incentive requiring a restructuring in the Department of Veterans Affairs.
- Yes:** 4 - Knight, Sweeney, Nutting and Briggs
- Absent:** 1 - Santiago
21. [09-0974](#) Transportation Department recommending the Board receive and file a report on the Roadside Memorial Signs Program incorporated into the Department of Transportation Maintenance Division Policies and Procedures; and direct the Department to return to the Board with an ordinance/resolution establishing an appropriate application fee.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to receive and file.**
- Yes:** 4 - Knight, Sweeney, Briggs and Santiago
- Noes:** 1 - Nutting
22. [09-1256](#) Clerk of the Board of Supervisors requesting the Board consider the County representatives for the California State Association of Counties (CSAC) as follows:
- 1) Elect a representative and an alternate to the CSAC Board of Directors for the term from November 1, 2009 to October 31, 2010;
 - 2) Consider who will be attending the CSAC annual conference;
 - 3) Consider which expenses will be reimbursed from the Clerk of the Board's budget.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to continue this matter to October 20, 2009 to be heard after Item No. 09-0657, Board of Supervisors Policy Updates.**
- Yes:** 5 - Knight, Sweeney, Nutting, Briggs and Santiago

23. [09-1252](#) Supervisor Briggs requesting the Board discuss the County General Plan density bonus provision and feasibility of a general plan amendment that reduces the bonus quantity and/or eliminates the density bonus provision completely.

No formal action taken however, informally directed the staff to schedule a workshop to address the density bonus program.

11:30 A. M. - TIME ALLOCATION

24. [09-1254](#) Supervisor Nutting recommending adoption of Resolution urging the California State Legislature and Governor Arnold Schwarzenegger to rescind or amend SB670, a ban on suction dredging on the waterways in the State of California.

Resolution 223-2009

PUBLIC COMMENT

J. Mason RE:

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

- 1) Adopt Resolution 223-2009 as amended; and**
- 2) Authorize staff to send it to key individuals; and**
- 3) Authorize Supervisor Nutting to gather key information, utilize staff as needed to prepare packets to be distributed to decision makers and evaluators when necessary for the two year review.**

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

2:00 P.M. - TIME ALLOCATION

25. [09-1174](#) Hearing to consider a request submitted by Richard and Christina Belmonte appealing the approval of Parcel Map P08-0035/Veffredo by the Zoning Administrator on August 19, 2009, on property identified by APN 076-120-04, consisting of 5.21 acres, in the Cedar Grove area; and Planning Services recommending the Board take the following actions:
- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
 - (2) Deny the appeal thereby upholding the approval of Parcel Map P08-0035 by the Zoning Administrator based on the findings and subject to the conditions listed in Attachment 1. (Est. Time: 1 hour)(Supervisory District III) (Cont'd 9/29/09, Item 26)

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

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and**
- 2) Deny the appeal thereby upholding the approval of Parcel Map P08-0035 by the Zoning Administrator based on the findings and subject to the conditions listed in Attachment 1.**

Yes: 3 - Knight, Nutting and Briggs

Recused: 1 - Sweeney

Absent: 1 - Santiago

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNED AT 2:30 P.M.

CLOSED SESSION

26. [09-1236](#)

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 Sheriff's 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.

No Action Reported