



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, November 9, 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) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' website at www.edcgov.us subject to staff's ability to post the documents before the meeting.

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

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

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

8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSION

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

Absent: 1 - Supervisor Santiago

9:01 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 to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 17 was pulled from the consent calendar, and Item 33 was continued to November 15, 2010.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

PRESENTATIONS

1. [10-1187](#) Supervisor Santiago recommending the Board receive a presentation by Daniel Nielson, Director of the Department of Human Services, on Adoption Services in the County of El Dorado. (Est. Time: 15 Min.)

Received presentation.

2. [10-1188](#) Supervisor Santiago recommending the Board adopt a proclamation recognizing Lilliput Children's Services and proclaiming November 2010 as National Adoption Month, and November 17, 2010, as Adoption Day in the County of El Dorado. (Est. Time: 5 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt the proclamation.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

3. [10-1150](#) Supervisor Sweeney and Bill Schultz, Recorder-Clerk-Registrar of Voters-Veteran's Affairs Director, recommending the Board adopt a proclamation honoring the 30 Year Anniversary of the Civil Air Patrol Squadron 85. (Est. Time: 10 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt the proclamation. The proclamation was presented to Evan Yanagihare, Trenton Bromenschenbel, Rick Kaita, and Dustin Jones of the Civil Air Patrol.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

OPEN FORUM

PUBLIC COMMENT

S. Koch RE: Retiree Health Fund

G. Copeland RE: Retiree Health Fund

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

- 4. [10-1022](#) Department of Transportation recommending the Board take the following actions related to the 2010 El Dorado County Bicycle Transportation Plan Update:
 - 1) Certify the California Environmental Quality Act Addendum to the 2005 Mitigated Negative Declaration for the 2010 El Dorado County Bicycle Transportation Plan Update; and
 - 2) Adopt the 2010 El Dorado County Bicycle Transportation Plan Update. (Est. Time: 15 Min.)

Resolution 169-2010

PUBLIC COMMENT

B. Carlson

L. Price

N. Petty

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

- 1) **Adopt Resolution 169-2010 Certifying the Mitigated Negative Declaration; and**
- 2) **Adopt 2010 El Dorado County Bicycle Transportation Plan Update with the following amendment: move Cambridge Drive, Merrychase to Crazy Horse Road, and Cambridge Drive, Green Valley Road to Country Club Dr, from Table 5-2b Tier II to Table 5-2a Tier I.**

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

CONSENT CALENDAR

- 5. [10-1208](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes of the Special Meetings of Monday, November 1, 2010 and Wednesday, November 3, 2010, and the Regular Meeting of Tuesday, November 2, 2010.

This matter was Approved on the consent calendar.

- 6. [10-1156](#) Auditor Controller recommending the Board receive and file the 2009/2010 report of allocation of funds from the County's Supplemental Law Enforcement Funds and the annual report submitted to the State Controller.

This matter was Approved on the consent calendar.

7. [10-1161](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Bid No. 11-405-024 for the purchase of Diesel Fuel to the low qualified bidders, Hunt and Sons, Inc., of Placerville, CA in the amount of \$313,000 and Western Energetix of Sparks, NV in the amount of \$129,000;
 - 2) Authorize the Purchasing Agent to issue blanket purchase orders in the amount of \$442,000 for a twelve (12) month period following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the blanket purchase orders for same on an "as needed" basis and extend the blanket purchase orders for one additional twelve (12) month period if the vendor agrees to all term and conditions contained in the original bid, during the awarded period as long as funding is available within the requesting Department's budget.

FUNDING: Road Fund Discretionary and the General fund for all diesel generator tanks.

This matter was Approved on the consent calendar.

8. [10-1197](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a duty weapon as surplus and approve the transfer to retiring Deputy Sheriff Mark Harrison.

This matter was Approved on the consent calendar.

9. [10-0830](#) Chief Administrative Office recommending the Board approve employees eligible to receive the County's Early Retirement Incentive Plan, noting said plan was approved by the Board of Supervisors on July 20, 2010, Item No. 30. (Cont'd 11/2/10, Item 6)

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

Yes: 3 - Knight, Nutting and Sweeney

Absent: 2 - Briggs and Santiago

10. [10-1207](#) Chief Administrative Office recommending the Board consider the following:
- 1) Authorize the Purchasing Agent to terminate blanket purchase orders issued to Strauss Food Service, Sysco Sacramento, Inc., Farmer Brothers Coffee Company, National Food Group, U.S. Foodservice, Crystal Dairy Foods, Inc., Mad Butcher Meat Company, and Francis Distributing as a result of Bid No. 11-393-018 for food products and kitchen supplies on October 19, 2010;
 - 2) Adopt a resolution exempting the purchase of food products and kitchen supplies from competitive bidding;
 - 3) Authorize the Purchasing Agent to negotiate contracts for these food products and kitchen supplies with vendors including but not limited to those listed above, in amounts up to those budgeted by departments (Countywide expenditures estimated to be \$1,200,000); and
 - 4) Direct the Auditor-Controller to process claims for payment of invoices from the above vendors during the period of October 19, 2010 through November 9, 2010 as presented by departments without further documentation.

Resolution 170-2010

Adopted Resolution 170-2010 upon approval of the consent calendar.

11. [10-1167](#) Development Services Department recommending the Board of Supervisors receive and file the annual report for Fiscal Year 2009-10 on the Oak Woodlands Management Plan (OWMP): retain the fee amount as presently set, with the intention to review and update the fee, if necessary, after the conclusion of the currently pending litigation; and continue to utilize staff resources for management, monitoring and acquisition activities associated with the OWMP for at least the current fiscal year.

This matter was Approved on the consent calendar.

12. [10-1006](#) Health Services Department recommending the Board approve the reappointment of Dan Sokol to serve as Technical Expert member of the three-member Local Enforcement Agency (LEA) Independent Hearing Panel for a term to expire January 2014.

This matter was Approved on the consent calendar.

13. [10-1183](#) Health Services Department recommending the Board authorize the Chair to sign Amendment 4 to Agreement 7275-07/12-709 for Ryan White funding with County of Sacramento Department of Health and Human Services extending the term through June 30, 2012 and increasing the reimbursable amount by \$314,082 for a multi-year total of \$779,786 to fund direct medical and support care services through the Ryan White CARE Act for persons living with HIV and/or AIDS.

FUNDING: Federal Ryan White CARE Act funds through Sacramento County.

This matter was Approved on the consent calendar.

14. [10-1195](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 467-S1011 with Black Oak Mine Unified School District in the amount of \$84,000 and extending the term through June 30, 2011 to provide personnel and facilities to conduct the Primary Intervention Program for elementary school children in the Georgetown area.

FUNDING: State Mental Health Services Act (MHSA), Prevention and Early Intervention (PEI) component.

This matter was Approved on the consent calendar.

15. [10-1171](#) Department of Human Services recommending the Board, as the Governing Board of the In-Home Supportive Services Public Authority (IHSS PA), authorize the Chair to sign Amendment II to Agreement for Services 075-S1010 with Industrial Employers and Distributors Association, doing business as (dba) IEDA, Inc., amending Article III - Compensation for Services to correct the dates for the Fiscal Year 2010-11 billing period.

FUNDING: 85% Federal/State In-Home Supportive Services Public Authority Funds with 15% required County General Fund Match.

This matter was Approved on the consent calendar.

16. [10-1165](#) Sheriff's Office recommending the Board authorize continuation of perpetual Agreement 282-S0011 with Sirron Software Corporation for annual maintenance of a specialized software program used by the Department's Civil Section.

FUNDING: Civil Special Revenue Fund.

This matter was Approved on the consent calendar.

17. [10-1114](#) Department of Transportation recommending the Board consider the following regarding the Green Valley Road at Weber Creek Bridge Replacement Project No. 77114: Authorize said Department to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Green Valley Road at Weber Creek Bridge Replacement Project No. 77114, affecting portions of the following subject parcels; APN 325-110-34, Stephen C. Marianos; APN 325-110-47, Donald W. Fields and Beverly A. Fields, Trustees of the Donald W. Fields and Beverly A. Fields Revocable Trust; APN 325-110-31, Dale Snyder and Margee Britton Snyder, as acting Trustees of the Damar Trust Dated October 22, 1992; APN 325-110-35, Jesus Lemus and Maria Gonzalez; APN 325-110-23, Anthony Todd Hall and Judith Joann Davis; APN 325-450-04, Terrance Wayne Foot and Mary Walker Foot; APN 325-450-01, Deutsche Bank National Trust Company as Trustee for American Home Mortgage Assets Trust; APN 325-110-26, Theodore B. Medeiros and Janet C. Medeiros, Trustees of the Medeiros Revocable Living Trust, Dated April 14, 1992; APN 325-110-41, Ann E. Rockwell; APN 325-110-32, Barry G. Lindner and Linda C. Lindner, Trustees of Lindner Family Trust 1/31/2007; APN 325-450-03, Ernest S. Watson and Suanne M. Watson; APN 325-110-33, Joe A. Ruelas and Cyndi Ruelas; APN 325-160-06, Judith A. Hinz; APN 325-160-04, Gary A. Lien and Madonna D. Lien; APN 325-160-05, Madonna D. Lien; APN 325-110-41, Ann E. Rockwell and APN 325-110-32, Barry G. Lindner and Linda C. Lindner, Trustees of Lindner Family Trust January 31, 2007.

FUNDING: Highway Bridge Program Grant and the 2004 General Plan Traffic Impact Mitigation Fee Program.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to authorize the Department of Transportation to proceed with ordering and payment of title reports to commence the acquisition process for the Green Valley Road at Weber Creek Bridge Replacement Project No. 77114 noting that the certified appraisals were not approved at this time.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

18. [10-1110](#) Department of Transportation recommending the Board adopt a Resolution sanctioning the closure of Country Club Drive between Bass Lake Road and Knollwood Drive; Merrychase Drive between Greenwood Lane and Country Club Drive; Knollwood Drive between Country Club Drive and Greenwood Lane; and Greenwood Lane between Knollwood Drive and Merrychase Drive in Cameron Park, on Saturday, December 4, 2010, between 6:00 a.m. and 9:00 a.m. for the 2010 Cameron Park "Run with Santa" Event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 171-2010

Adopted Resolution 171-2010 upon approval of the consent calendar.

19. [10-1104](#) Department of Transportation recommending the Board authorize said Department to exercise the option to extend Amendment II to Lease Agreement 131-L0311 with Raymond C. and Patricia J. Presgrave for an additional one (1) year term commencing January 1, 2011 and ending on December 31, 2011 for the Public Defender's office located at 630 Main Street in Placerville, noting the lease payments shall remain fixed in the sum of \$4,500 per month, and the cost for 5,340 square feet is approximately \$0.843 per square foot.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

20. [10-1027](#) Department of Transportation recommending the Board authorize the Chair to sign Lease Agreement 212-L1111 with Trust of John J. Power and Anne Marie Power in the amount of \$6,000 (\$1,500 per month) for temporary housing of the Snow Removal Crew, located at 420 Deer Avenue in Tahoma to commence on December 1, 2010 and terminate on March 31, 2011 with the option for an additional one (1) month period, cost for 1,364 square feet is \$1.10 per square foot.

FUNDING: Road Fund.

This matter was Approved on the consent calendar.

21. [10-0980](#) Department of Transportation recommending the Board authorize the Chair to sign the Consent of Lessor for the Assignment of Portable Hangar Ground Lease No. 09-52873 between Ronald E. and Sharon C. Baierlein, Assignor and Steven Sybeldon, Assignee and Lease No. 10-52949 between Kelly Van Slate, Assignor and Joseph F. Newman, Assignee at the Placerville Airport. (4/5 vote required)

FUNDING: Placerville Airports Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar.

22. [10-0872](#) Department of Transportation recommending the Board consider the following:
- 1) Accept the road improvements for Beatty Drive within the Promontory Specific Plan project as complete; and
 - 2) Adopt a Resolution accepting said improvements into the County Road System.

FUNDING: Promontory Specific Plan Community Facilities District No. 2001-1.

Resolution 172-2010

Adopted Resolution 172-2010 upon approval of the consent calendar.

23. [09-1511](#) Department of Transportation recommending the Board authorize the Chair to sign the Notice of Acceptance with Sierra Nevada Construction, Inc. for the Pioneer Trail Overlay (2.02 Miles)/Re-Striping and Water Quality Improvement Project (Contract No. PW 09-30494, CIP No. 72164).

FUNDING: This Project was funded with American Recovery and Reinvestment Act of 2009-Regional Surface Transportation Program and General Fund. The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar.

Consent - Board of Supervisors

24. [10-1193](#) Supervisor Santiago recommending the Board approve the appointment of Carl Ribaldo and reappointment of Bob Anderson to the Tahoe Resource Conservation District.

This matter was Approved on the consent calendar.

25. [10-1182](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing Veterans Day and encouraging all to attend the ceremony honoring our veterans held at the El Dorado County Veterans Monument at 11:00 a.m. on November 11, 2010.

This matter was Approved on the consent calendar.

26. [10-1192](#) Supervisor Santiago recommending the Board approve a Youth Commission/Board of Supervisors' "Shadow Day" on Tuesday, December 7, 2010.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

27. [10-1206](#) County Counsel recommending the purchase of approximately 8.93 acres of land at the east end of Palmer Drive known as Assessor's Parcel Number 070-261-82. (Est. Time: 10 Min.)

PUBLIC COMMENT

R. Laurie

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

- 1) Find that the purchase of the subject property is categorically exempt from CEQA as a Class 25 Exemption and direct that a Notice of Exemption be filed;**
- 2) Find that the purchase of the subject property is consistent with the General Plan;**
- 3) Approve and ratify the Purchase Agreement for the property at a purchase price of \$562,950.00, subject to completion of a satisfactory Phase I Environmental Study as determined by County Counsel, and authorize the Chair to execute any authorizing documents;**
- 4) Authorize the Chair to execute an Acceptance of Deed for the property;**
- 5) Authorize County Counsel to execute escrow instructions and other documents necessary to complete the transaction, consistent with the Purchase Agreement;**
- 6) Authorize payment of the purchase price and closing costs out of the Rare Plant Mitigation Fund; and**
- 7) Direct staff to return with a Budget Transfer.**

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

28. [10-1078](#)

Department of Transportation recommending the Board consider the following:

- 1) Consent to the City of Placerville acquiring necessary rights of way located within the unincorporated area for the City's Point View Drive Extension project; and
- 2) Deny the request for waiver of fees and charges associated with the Point View Drive Extension project. (Est. time: 20 min.)

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

- 1) Find that it is in the interest of economic development in the Smithflat area of the County to have the City of Placerville conclude the road improvements begun as a part of the hotel project adjacent to Highway 50 at Point View Drive. This road project will provide improved access to the Apple Hill Area and the hotel will provide needed rooms for tourists wishing to spend more time and money enjoying our county;
- 2) Direct the Department of Transportation staff as follows:
 - a) Prepare a Board Resolution, pursuant to State Highway Code Section 1680, stating that the extension of Point View Drive is in the general interest of the County and that the County therefore consents to the City acquiring property in the unincorporated County area for the purpose of extending that roadway;
 - b) Notice and agendize, as expeditiously as legally possible, an item for this Board to summarily vacate the excess County right-of-way through APN 048-290-04, since that right-of-way has not been used for vehicular traffic for more than 20 years, and no County funds have been expended to maintain said road in that period of time;
 - c) Assist the City in bringing to close a land exchange of portions of APN 048-290-04, including the right-of-ways being abandoned, and of portions of other right-of-ways which may be abandoned as part of the improvement project, for the right-of-ways to be obtained from APN 048-290-01. This would allow for an exchange of land without any exchange of money;
 - d) Cooperate with the City to prepare and bring for approval an agreement as to right-of-way ownership and long term maintenance of the proposed roadway; and
 - e) Waive all fees and costs involved with the transactions listed in this motion, including those charged but not collected to date;
- 3) The vacation of the County property, the waiver of all of the processing fees by County staff, and the proposed land exchange (valued at \$25,000) shall constitute the County's full share of the cost for the design, processing, and construction of the Point View Drive extension.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

2:00 P.M. - TIME ALLOCATION

- 29. [10-1135](#) Development Services Department, Planning Services Division, is forwarding a request from San Stino, LP for a Conceptual Review of Pre-Application PA10-0016/San Stino for property identified by APNs 090-220-05, 090-220-24, 090-190-010, 090-380-19, and 090-380-02, consisting of 645 acres, in the Shingle Springs area; and recommending the Board provide comments to the applicant. (Supervisory District II) (Est. Time: 1 Hr.)

Received and Filed.

- 30. [10-0990](#) Chief Administrative Office recommending the Board receive information on projected deficits in the Fiscal Year 2011-12 budget, provide policy direction regarding reduction strategies related to these shortfalls, give direction on upcoming Special Meetings of the Board, and take any action as deemed necessary to address these deficits: GIS, Geographic Information System.(See Attachment 4C - Board Memo and Narrative of Chief Administrative Office Reduction). (Cont'd 11/8/10, Item 1)

GEOGRAPHIC INFORMATION SYSTEM

Options for possible reductions discussed:

GIS - Reduction of \$400,000

This matter has been continued to November 15, 2010.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

CLOSED SESSION

- 31. [10-1210](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Paul Sayegh v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC 20100101.

No Action Reported.

- 32. [10-1213](#) 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.

DEPARTMENT MATTERS:

ADDENDUM

- 33. [10-1220](#) County Counsel recommending the Board consider the following:
 - 1) Receive report on feasibility of adopting Ordinance reducing Board of Supervisors salaries; and
 - 2) Consider the adoption of a Resolution authorizing voluntary reductions in salary by Board members.

This matter was continued to November 15, 2010 upon approval of the Consent Calendar.

ADJOURNED AT 5:26 P.M.